

31.08.2023
SL. 48
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3574 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mothabari** Police Station Case No. **189 of 2023** dated **08.06.2023** under Sections **341/323/308/34** of the IPC.

And

In the matter of: **Martuj Sk**

....petitioner.

Md. Wasim Akram

...for the petitioner.

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

1. Heard learned Counsel for both the parties.
2. It is alleged that the incident as involved in the instant case occurred on account of business rivalry between the informant and the petitioner wherein the present petitioner is alleged to have assaulted the informant by a bamboo stick. On perusal of the injury report of the victim it reveals that the victim of the alleged incident suffered a cut injury size of which is 3 c.m./1 m.m. on his forehead without involving bone.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed (Supra) and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that:
 - i) The petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till

submission of F.F.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3574 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

