

12.09.2023
M/L 33
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3640 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Domkal P. S. Case No.465 of 2023 dated 09.07.2023 under Sections 326/307/34 of the Indian Penal Code read with Section 25/27 of the Arms Act.

In the matter of : Ainul Bari Mondal
@ Ainul Bari and others
... Petitioners

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srinjan Ghosh,
Mr. Subhrajit Dey,
Ms. Monami Mukherjee
... for the petitioners

Mr. Saibal Bapuli, ld. APP
Mr. Arani Bhattacharyya
... for the State

1. Heard learned advocate for the petitioners and learned Additional PP for the State at length.
2. It is stated on behalf of the petitioners that the allegation made out in the FIR is the outcome of a political rivalry.
3. Mr. Bapuli, learned Additional PP, in his usual fairness, submits before this court that the injury of the victim is simple in nature.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed supra and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the

Arresting Officer in the event of their 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 condition:

- i) The petitioners are directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.

7. The applications being CRM(A) 3640 of 2023 is disposed of.

8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)