

13.09.2023
M/L 63
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3670 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.540 of 2023 dated 09.07.2023 under Section 341/325/326/34 of the Indian Penal Code.

In the matter of : Mahadeb das
@ Sahadeb Das and others
... Petitioners

Mr. Amanul Islam,
Mr. Sourav Mukherjee
... for the petitioners

Ms. Faria Hossain,
Ms. Baisali Basu,
Ms. Mamata Jana
... for the State

1. Heard learned counsel for the parties.
2. Considered the materials placed before us including the statement of the victim recorded under Section 164 Cr.P.C. and the injury report in respect of the victim. Though there is a cut injury on occipito parietal region of the head, the same is not found to be affected the bone.
3. 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.
4. Accordingly, the prayer for the anticipatory bail is allowed.
5. 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.
6. The applications being CRM(A) 3670 of 2023 is disposed of.
7. 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.)