

18.09.2023
M/L 74
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3681 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Malda P. S. Case No.388 of 2023 dated 17.07.2023 under Sections 448/325/308/506/34 of the Indian Penal Code (G.R. Case No.4662 of 2023).

In the matter of : Majibur Rahaman and others
... Petitioners

Mr. Tapan Datta Gupta,
Mr. Parvej Anam
... for the petitioners

Mr. Arijit Ganguly,
Mr. Avik Ghatak
... for the State

1. Heard learned advocates for the parties.
2. The incident is alleged to have been occurred on account of dispute between two neighbours where two persons have been injured.
3. On perusal of the injury report of the victims, it reveals that one victim has suffered small scratches of nail over her neck and another victim has suffered lacerated cut injury over his skull for which three stitches have been given. Such injuries, *prima facie*, appear to be not bony injury or are grievous 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 G.R. Case No.4662 of 2023 arising out of 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) 3681 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.)