

18.09.2023
M/L 85
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3692 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kushmandi P. S. Case No.171 of 2023 dated 12.07.2023 under Sections 447/323/325/326/307/34 of the Indian Penal Code (G.R. Case No.723 of 2023).

In the matter of : Anarul Islam and another
... Petitioners

Mr. Ashok Das,
Mr. Mazhar Hossain Chowdhury
... for the petitioners

Mr. Tanmoy Kr. Ghosh,
Ms. Sonali Bhar
... for the State

1. Heard learned advocates for the parties.
2. It is submitted on behalf of the petitioners that the incident occurred on account of a property dispute over which case and counter-case have been filed.
3. We have perused the six injury reports of the victims. It appears to us that mostly the injuries are simple in nature and those injuries do not involve any bone.
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.723 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) 3692 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.)