

18.09.2023
ML. 100
Court No. 29
NKB

C.R.M. (A) 3707 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhupatinagar** Police Station Case No. **267** of **2023** dated **14.07.2023** under Sections 341/323/325/307/34 of the Indian Penal Code (corresponding G.R. Case No.1910/2023).

And

In the matter of: **Amit Dolai @ Amit Kumar Dolai & Anr.**

....petitioners.

Mr. Indrajit Chatterjee

...for the petitioners.

Mr. Madhu Sudan Sur
Mr. Manoranjan Mahata

...for the State.

1. Heard learned Counsel for the parties.
2. It is submitted on behalf of the petitioners that the incident occurred out of a group rivalry. From the injury report of the victim as available in the C.D., it reveals that injury of the victim is on the occipital lobe rejoin of his head. Since the injuries referred to above do not involve bone we are inclined to allow the prayer.
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 petitioners 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.

4. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3707 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

