

18.09.2023
ML. 130
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3737 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Arsha** Police Station Case No. **102** of **2023** dated **16.07.2023** under Sections **341/323/307/380/34** IPC (corresponding to G.R. Case No. 1286 of 2023).

And

In the matter of: **Sanat Kumar Dey & Anr.**

....petitioners.

Mr. Rameshwar Sinha
Mr. Sanjukta Mukherjee
Mr. Srinjoy Das

...for the petitioners.

Ms. Faria Hossain
Ms. Baisali Basu

...for the State.

1. Heard learned Counsel for the parties.
2. The incident occurred on account of theft of Rs. 46,000/- which belongs to the informant and when the informant asked about the said money from the present petitioners, they are alleged to have beaten him and tried to murder him by pressing his neck.
3. It is beneficial to mention here that the informant is the elder brother of petitioner no. 1 and petitioner no. 2 is the wife of petitioner no. 1.
4. From the materials available in the C.D., it reveals that it is the version of BMOH, Sirkabad that no medical treatment record in the name of the informant has been found.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, and substantial progress in investigation, it is directed that

the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. Within 21 days from today, petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. Accordingly, the prayer for anticipatory bail is allowed.
8. The application being **CRM (A) 3737 of 2023** is disposed of.
9. 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.)

