

18.09.2023
M/L 141
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3748 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mahisadal P. S. Case No.399 of 2023 dated 02.07.2023 under Sections 341/323/325/307/447/506/34 of the Indian Penal Code (G.R. No.1980 of 2023).

In the matter of : Sk. Mustafa and others

... Petitioners

Mr. Suman De

... for the petitioners

Mr. Anowar Hossain,
Ms. Ratna Ghosh

... for the State

1. Heard learned advocates for the parties.
2. The incident is alleged to have been occurred on account of dispute between the neighbours. One Babulal, who is stated to be the principal accused, has assaulted the victim. From the injury report as available with the CD, it reveals that the victim suffered an incised injury over his skull for which stitch was given.
3. Considering the fact that the injury of the victim is not serious, we are inclined to grant anticipatory bail in favour of the petitioner.
4. 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 petitioner shall be released on bail by the Arresting

Officer in the event of his arrest in the G.R. No.1980 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 petitioner is directed to appear before the IO once in 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 petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The applications being CRM(A) 3748 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.)