

21.09.2023
ML. 243
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3851 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Tamluk** Police Station Case No. **751 of 2023** dated **05.07.2023** under Sections **447/ 448/ 341/ 323/ 325/ 308/ 354/ 384/ 379/ 427/506/34** of the IPC.

And

In the matter of: **Masibul Bhunya @ Bhunia & Ors.**

....petitioners.

Mr. Kaushik Chowdhury
Mr. Sabyasachi Hazra
Mr. Samaresh Ch. Dhara

...for the petitioners.

Mr. Binay Panda
Mr. Subham Bhakat

...for the State.

1. Heard learned Counsel for both the parties.
2. The incident as involved in this case is alleged to have been occurred on account of a dispute over land. On perusal of the injury report of the victim it reveals that such injuries are not serious in nature.
3. 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 aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that:
 - i) The petitioner No. 1 (Masibul Bhunya @ Bhunia), petitioner No. 2 (Sekh Lutfar Rahaman), petitioner No. 3 (Mehemud Mallik), petitioner No. 4 (Nawsad Mallik), petitioner No. 5 (Maksed Mallik), petitioner No. 8 (Mahinuddin Mallik),

petitioner No. 9 (Mujibul Bhunya @ Bhunia), petitioner No. 10 (Matibul Bhunia), petitioner No. 11 (Raju Bhunia), petitioner No. 13 (Sk Musaraf Hossain @ Sk. Musaraf) and petitioner No. 14 (Raki Mallik) are directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

- ii) The petitioner No. 6 (Mansura Bibi), petitioner No. 7 (Sahenaj Bibi), petitioner No. 12 (Mamtaj Bibi) and petitioner No. 15 (Tahuran @ Tahuram Bibi) are directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3851 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

