

21.09.2023
ML. 251
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3859 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **453** of **2023** dated **07.06.2023** under Sections **341 /323 /325 /354B /307 /379 /506 /34** IPC (corresponding to G.R. Case No. 1869 of 2023).

And

In the matter of: **Madhusudan Patra & Ors.**

....petitioners.

Mr. Pravas Bhattacharya

...for the petitioners.

Mr. Binay Panda
Ms. Puspita Saha

...for the State.

Mr. Debajyoti Deb
Ms. Somdyuti Parekh

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. We find that the injuries of the victim are simple in nature.
3. Regard being had to the facts and submission, 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 in the event of their 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 including the conditions that:
 - i) The petitioner nos. 1, 3 and 4 are directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of Final Form.

ii) The petitioner no. 2 being a lady is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of Final Form.

iii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

4. 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.
5. It is made clear that in case any of the condition is violated by any of the petitioner, the Court *in seisin* over the matter shall have the jurisdiction to cancel the bail in accordance with law on proper petition being filed to that effect after, of course, doing enquiry and satisfaction over the allegation.
6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 3859 of 2023** is disposed of.
8. 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.)

