

**21.09.2023**  
ML. 263  
Court No. 29  
Sourav  
(Allowed)

**C.R.M. (A) 3871 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **376** of **2023** dated **30.04.2023** under Sections **341/376D/506** IPC (corresponding to G.R. Case No. 1174 of 2023).

And

In the matter of: **Shyam Das alias Fakaria alias Shyam Sharma**  
....petitioner.

Mr. Soupal Chatterjee  
Mr. Prabir Kumar Das  
Ms. Sucheta Banerjee

...for the petitioner.

Mr. Abhra Mukherjee  
Mr. Dipankar Mahata

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed before us including the statement of the victim recorded under section 164 Cr.P.C. wherein the victim has completely exonerated the principal accused Raj Kumar Das. There is no allegation against the present petitioner.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of evidence 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.
4. 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.

5. Accordingly, the prayer for anticipatory bail is allowed.
6. The application being **CRM (A) 3871 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.)**

