

22.09.2023
M/L 271
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3879 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Paikar P. S. Case No.114 of 2023 dated 26.04.2023 under Sections 448/323/325/308/506/34 of the Indian Penal Code (G.R. No.579 of 2023).

In the matter of : Suman Rabidas and another
... Petitioners

Mr. Bitasok Banerjee,
Mr. A. Salam
... for the petitioners

Mr. Anwar Hossain,
Mr. Arif Ekbal Molla
... for the State

1. Heard learned advocates for the parties.
2. The incident as involved in the instant case is alleged to have been occurred in the village rivalry wherein victim Goutam Rabidas suffered the following injuries:
 - i) Cut mark at his eyebrow region (incised wound).
 - ii) Aberration and cut wound in head region.
 - iii) Incise wound in his finger region.
3. Since the injuries of the victim as available in the CD are simple in nature, we are inclined to take a lenient approach in favour of the petitioners.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence, 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 G.R. Case No.579 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 conditions:

- i) The petitioners are directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
 6. 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.
 7. The applications being CRM(A) 3879 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.)