

22.09.2023
M/L 269
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3877 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Panskura P. S. Case No.316 of 2023 dated 02.05.2023 under Sections 307/323/325/34/354 of the Indian Penal Code corresponding to G.R. Case No.1388 of 2023.

In the matter of : Niranjan Kumar Bag
@ Niranjan Bag and others
... Petitioners

Mr. Ashok Das,
Mr. Bhaskar Hutait
... for the petitioners

Mr. Prasun Kr. Dutta, ld. APP
Mr. Nirupam Dhali
... for the State

Mr. Suman De
... for the defacto complainant

1. Heard learned advocates for the parties.
2. The incident as alleged to have been occurred in the instant case arises out of a property dispute over which there was free fight. Out of the said transaction, one person has suffered injury, namely; fracture in right 5th metacarpal and another hairline fracture in right patella. Since the injuries of the victim are not on the vital part of the body, we are taking lenient approach towards the present petitioners.
3. 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.1388 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 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.
4. Accordingly, the prayer for the anticipatory bail is allowed.
5. 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.
6. The applications being CRM(A) 3877 of 2023 is disposed of.
7. 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.)