

22.09.2023
M/L 270
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3878 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tamluk P. S. Case No.832 of 2023 dated 23.07.2023 under Sections 188/341/323/325/307/34 of the Indian Penal Code (G.R. No.2507 of 2023).

In the matter of : Abdul Hak @ Sk Aulhaque and anr.
... Petitioners

Mr. Suman De
... for the petitioners

Mr. Rudradipta Nandy, Id. APP
Mr. Iqbal Kabir,
Ms. Sonali Das
... for the State

1. Heard learned advocates for the parties.
2. The incident as involved in the instant case is alleged to have occurred on account of property dispute where it has been alleged an illegal construction was going on.
3. On perusal of the injury report of the victim as available in the CD, it reveals that the victim Muksuda Bibi suffered incise injury (3" x 1/2" x skin depth) on her forehead and an aberration (1/2" x 1^{1/5}") at her left palm.
4. Since these injuries are neither on the vital part of the body nor involve any bone, we are inclined to take a lenient approach in favour of the petitioners.
5. 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.2507 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.
 - ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. 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.
 8. The applications being CRM(A) 3878 of 2023 is disposed of.
 9. 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.)