

25.09.2023
ML. 294
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3902 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **303** of **2023** dated **10.06.2023** under Sections **417/376/506** IPC (corresponding to G.R. Case No. 1644 of 2023).

And

In the matter of: **Ekbar Ali @ Akbar Ali**

....petitioner.

Ms. Minoti Gomes
Ms. Dona Sanyal
Mr. Asfak Ahammed

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Imran Ali
Ms. Debjani Sahu

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is the step-grandson of the victim who declined medical examination. In her statement under Section 164 Cr.P.C., the victim has stated that her step-grandson did 'jabardasti' with her. There is, however, no other allegation against the petitioner.
3. Learned Counsel for the petitioner submits that there is land dispute between the petitioner and his step-grandmother after death of his grandfather. Out of anger, the present case has been filed by the step-grandmother.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation 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.

5. 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.
6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 3902 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.)

