

25.09.2023
D/L 33
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3933 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Deganga P. S. Case No.232 of 2023 dated 21.05.2023 under Sections 324/325/341/354B/307/34 of the Indian Penal Code (G.R. No.1160 of 2023).

In the matter of : Arup Billa Mallik
@ Arap Billa Mallick

... Petitioner

Mr. Kallol Kr. Basu,
Md. jannat ul Firdous

... for the petitioner

Mr. Bidyut Kr. Roy,
Ms. Rita Datta

... for the State

1. Heard learned advocates for the parties.
2. On perusal of the injury reports of the three victims, we find those injuries are not much serious. So far as the allegations under Section 354B is concerned, it reveals those are omnibus in nature. it further transpires that the incident occurred on account of a property dispute.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed supra and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the G.R. No.1160 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 petitioner is 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 petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The applications being CRM(A) 3933 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.)