

25.09.2023

SL. 44

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3944 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **398** of **2023** dated **27.04.2023** under Sections **406/420/323/325/34** IPC (corresponding to G.R. Case No. 1600 of 2023).

And

In the matter of: **Debu Ghosh @ Bubai Ghosh & Anr.**

....petitioners.

Mr. Khalid Hasan

...for the petitioners.

Mr. Bibaswan Bhattacharya

...for the State.

Mr. Ritzu Ghoshal

Mr. Abhra jena

Mr. Anirban Ghosh

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. Though in the instant case charge-sheet was submitted under Sections 406/420/323/325/34 IPC and the present petitioner surrendered before the judicial magistrate and obtained bail but on the prayer of the informant and as per direction of the writ court further investigation was taken by adding Sections 307/329/384 IPC.
3. We have perused the entire materials of the CD including the injury report of the victim as issued by Santipur S.G. Hospital and followed by Medical College and Hospital, Kolkata wherefrom we found that the injuries of the victim are simple in nature involving no bone.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation,

nature of injury as discussed supra and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of their 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, petitioners are 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) 3944 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.)

