

03.10.2023
SL. 43
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3974 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Santipur** Police Station Case No. **398 of 2023** dated **27.04.2023** under Sections **406/420/323/325/34** and adding Sections **307/329/384** of the IPC

And

In the matter of: **Subrata Das & Ors.**

....petitioners.

Ms. Sananda Bhattacharyya

...for the petitioners.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

1. Heard learned Counsel for both the parties.
2. It is submitted on behalf of the petitioners that considering the fact that the present accused petitioners are similarly circumstanced with one Debu Ghosh @ Bubai Ghosh and another who have been enlarged on anticipatory bail by this Court vide order dated 25.09.2023 in CRM (A) 3944 of 2023, the instant application for anticipatory bail may be considered favourably.
3. Learned Counsel for the State though opposes the prayer but nothing could be placed to counter the submission of the learned Advocate for the petitioners.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, ground of parity, 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 aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM (A) 3974 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

