

03.10.2023

SL. 50

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3981 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bhagwangola** P.S. Case No. **306 of 2023** dated **10.07.2023** under Sections **341/325/326/307/34** IPC corresponding to G.R. Case No. **2207 of 2023** pending before the learned ACJM, Lalbagh, Murshidabad.

And

In the matter of: **Rajesh Sk. & Ors.**

....petitioners.

Mr. Biswajit Sarkar

Mr. Abdur Rakib

...for the petitioners.

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

Mr. Debapriya Samanta

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The incident as involved in this case occurred on account of a boundary dispute between the informant parties and the present petitioners wherein three persons are alleged to have been injured.
3. We have perused the injury reports of the victim out of which one victim has sustained grievous hurt over his head and the other two persons suffered simple injuries.
4. Charge-sheet is stated to have been submitted in the meantime and, therefore, there is no necessity of the custodial interrogation of the present petitioners for the purpose of investigation.
5. Regard being had to facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed (Supra) and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Lalbagh,

Murshidabad within 15 days from today in the G.R. case No. 2207 of 2023 arising out of aforesaid P.S. case.

6. On their appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:

- (i) The petitioners shall appear before the learned Trial Court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.

7. The learned ACJM, Lalbagh, Murshidabad is directed to act upon the server copy of this order, if required.

8. Accordingly, the prayer for the anticipatory bail is allowed.

9. The application being **CRM (A) 3981 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

