

06.10.2023
SL. 16
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4071 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Farakka** Police Station Case No. **297 of 2023** dated **24.07.2023** under Sections **285/286** of the IPC and Section **9** of the M.P.O. Act.

And

In the matter of: **Amir Abbas @ Mister @ Amir Abbas Sekh & Anr.**

....petitioners.

Ms. Minoti Gomes

...for the petitioners.

Mr. R. Nandy

Mr. Iqbal Kabir

...for the State.

1. Heard learned Counsel for both the parties.
2. From the materials as placed before us it reveals that the incident as involved in the case occurred during last Panchayat Election.
3. From the statements of the witnesses though, we find *prima facie* involvement of the present two petitioners in the alleged crime but considering the nature and character of the allegation, we do not think it fit that it is a case for custodial interrogation.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation 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 including the conditions that:
 - (i) The petitioners are directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of

investigation till submission of F.F.

- (ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

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.
8. The application being CRM (A) 4071 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

