

06.10.2023
SL. 18
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4074 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kumarganj** Police Station Case No. **236 of 2023** dated **04.08.2023** under Sections **342/325/328/307/34** of the IPC.

And

In the matter of: **Jahera Bewa @ Jahera Mondal & Ors.**

....petitioners.

Ms. Busra Khatun

...for the petitioners.

Mr. Joydeep Roy
Mr. Amanul Islam

...for the State.

1. Heard learned Counsel for both the parties.
2. Though there are allegations against the present petitioners that after assaulting the victim they have poured poisonous substance into her mouth but in the injury report as prepared by the treating doctor, we do not find anything to substantiate forceful ingestion of poison. Admittedly in the statements as recorded under Section 161 Cr.P.C. there are some allegations as against the present petitioners.
3. Regard being had to such facts and submissions, 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 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. for the purpose of investigation as and when required from

sunrise to sunset till submission of F.F.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM (A) 4074 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

