

06.10.2023
SL. 23
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4079 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Domkal** Police Station Case No. **476 of 2023** dated **14.07.2023** under Sections **286/326/307/34** of the IPC and Section **9(b)** of the I.E. Act.

And

In the matter of: **Rofikul Islam @ Rafikul Islam & Ors.**

....petitioners.

Mr. Anisur Rahman

...for the petitioners.

Mr. Prasun Kumar Datta, APP

Mr. Nirupam Dhali

...for the State.

1. Heard learned Counsel for both the parties.
2. The incident as involved in the instant case arose during last Panchayat Election on account of alleged hurling bombs.
3. On perusal of the entire materials of the Case Diary, we find that there are some incriminating materials as against the present petitioners but considering the fact that the injuries of the victim are not grievous, we are inclined to take a lenient approach towards the petitioners.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence, 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 condition 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.

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) 4079 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

