

11.10.2023
ML. 22
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 4111 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **211** of **2023** dated **09.07.2023** under Sections **307/354/379/34** IPC.

And

In the matter of: **Manika Sekh @ Salifa Bibi**

....petitioner.

Mr. Asraf Mondal
Mr. Tushar Sil

...for the petitioner.

Mr. Tanmoy Kr. Ghosh
Mr. Amanul Islam

...for the State.

1. Heard learned Counsel for the parties.
2. The incident as involved in this case occurred on account of a neighbour dispute.
3. Though learned Counsel for the petitioner submits before this Court that the present petitioner is innocent but from the materials collected by the I.O. in course of investigation, it reveals that the victim Babar Ali Sk. suffered partial amputation of his right index finger on account of a blow of 'Hesua' given by the present petitioner which is evident from the statements of the witnesses recorded under Section 161 Cr.P.C. Though the aforesaid injuries are grievous in nature but taking into consideration the situs of injury, we are inclined to take a lenient approach.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed supra and substantial progress

in investigation, it is directed that the petitioner shall be released on bail in the event of her arrest by the Arresting Officer 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 petitioner being a lady is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of Final Form.

5. Within 21 days from today, petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 4111 of 2023** is disposed of.
8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

