

12.10.2023
M/L 62
Ct. No.25
(Allowed)
(SKB)

CRM (A) 4153 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.108 of 2023 dated 08.02.2023 under Sections 341/325/326/307/379/506/34 of the Indian Penal Code (S. L. No.257 of 2023).

In the matter of : Bikash Chandra Sarkar
@ Bikash Sarkar and others
... Petitioners

Mr. Anjit Ganguly,
Mr. Avik Ghatak
... for the petitioners

Mr. Amanul Islam,
Mr. Sourav Mukherjee
... for the State

1. Heard learned counsel for the parties.
2. The incident as involved in this case has occurred on account of village dispute. There are stated to be case and counter case. On perusal of the injury report of the victim, it reveals that the victim suffered multiple aberration injuries on his both knees, haematoma on his back and red eye (right side).
3. Since the injuries are simple in nature, we are inclined to take lenient approach.
4. 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 S.L. No.257 of 2023 arising out of 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:

- i) The petitioners are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - 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. Accordingly, the prayer for the anticipatory bail is allowed.
 6. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
 7. The applications being CRM(A) 4153 of 2023 is disposed of.
 8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)