

**12.10.2023**

ML. 69

Court No. 29

Sourav

(Allowed)

**C.R.M. (A) 4160 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **362** of **2023** dated **09.07.2023** under Sections **341/506/325/308/354B/379/34** IPC (corresponding to G.R. Case No. 4552 of 2023).

And

In the matter of: **Kausar Ali**

....petitioner.

Md. Sarwar Jahan  
Mr. Sayantan Hazra

...for the petitioner.

Mr. Arijit Ganguly  
Mr. Sanjib Kr. Dan

...for the State.

1. Heard learned Counsel for the parties.
2. It is fairly submitted at the Bar that in pre-panchayat election group rivalry between two political groups, the petitioner is alleged to have assaulted the victims by kick and fist blows resulting in no external injury or internal injury as found from the C.D.
3. 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 his 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 including the conditions that:
  - i) the petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the

I.O. for the purpose of investigation till submission of Final Form;

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

4. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 4160 of 2023** is disposed of.
7. 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.)**

