

13.10.2023
D/L 22
Ct. No.25
(Allowed)
(SKB)

CRM (A) 4180 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kharagpur (Local) P. S. Case No.438 of 2023 dated 12.05.2023 under Sections 498A/323/325/307 of the Indian Penal Code.

In the matter of : Bhanu Mudi

... Petitioner

Mr. Rahul Ganguly

... for the petitioner

Mr. Partha Pratim Das,
Ms. Eshita Dutta

... for the State

1. Heard learned counsel for the parties.
2. The petitioner is stated to be the husband of the informant. It is fairly submitted by learned counsel for the State that there is no injury report in the CD though there is allegation of attempt to murder by strangulation by the petitioner.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, quantum of punishment attached to the offence except under Section 307 IPC, which is not *prima facie* found to be not attracted and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his 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.

4. Accordingly, the prayer for the anticipatory bail is allowed.
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. The applications being CRM(A) 4180 of 2023 is disposed of.
7. 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.)