

20.11.2023

SL. 8

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 4245 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raninagar** P.S. Case No. **106 of 2023** dated **23.02.2023** under Sections **341/325/307/34** IPC and adding Section **302** IPC corresponding to G.R. Case No. **551 of 2023** pending before the learned ACJM, Lalbagh, Murshidabad.

And

In the matter of: **Siddik Sk @ Siddik Ali & Anr.**

....petitioners.

Mr. Anisur Rahman

...for the petitioners.

Mr. Swapan Banejee

Mr. Suman De

...for the State.

1. Heard learned Counsel for both the parties.
2. From the materials as placed before this Court, we find that no doubt there are statements of the eyewitnesses that the present two petitioners amongst others are the assailants and on account of their joint assault the victim died. Materials have been placed before this court that another co-assailant has been enlarged on bail on 20.07.2023 in CRM (DB) 2886 of 2023.
3. Considering the chain of events prior to the occurrence of the alleged crime, completion of investigation and no chance of abscontion, we are inclined to allow the prayer.
4. Regard being had to facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad within 15 days from today in the G.R. case No. 551 of 2023

arising out of aforesaid P.S. case.

5. On their appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
6. The learned ACJM, Lalbagh, Murshidabad is directed to act upon the server copy of this order, if required.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 4245 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

