

20.11.2023

SL. 22

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 4301 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bagdah** Police Station Case No. **689** of **2023** dated **13.09.2023** under Sections **417/376/325/34** IPC (corresponding to G.R. Case No. 3021 of 2023).

And

In the matter of: **Radhakanta Halder & Ors.**

....petitioners.

Mr. Susnigdho Bhattacharyya

...for the petitioners.

Mr. Debasis Roy, Ld. PP

Mr. Aniket Mitra

Ms. Jonaki Saha

...for the State.

1. Heard learned Counsel for the parties.
2. Perused the entire materials of the case diary including the statement of the victim as recorded under Section 164 Cr.P.C.
3. So far as the petitioner no. 1 (Radhakanta Halder) and petitioner no. 3 (Aloke Halder) are concerned, we find that they are the father and brother of the principal accused respectively against whom there is allegation of abusing informant.
4. So far as the petitioner no. 2 (Anna Halder) is concerned, the application for anticipatory bail is dismissed as not pressed on the ground that he has been arrested in the mean time.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that petitioner no. 1 and petitioner no. 3 shall be released on bail in the event of their 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 nos. 1 and 3 are directed to appear before the I.O. for the purpose of investigation as and when required till submission of Final Form.
 - ii) The petitioner nos. 1 and 3 shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
6. Within 21 days from today, petitioner nos. 1 and 3 are directed to appear before the I.O. along with a server copy or certified copy of this order.
 7. Accordingly, the prayer for anticipatory bail is allowed.
 8. The application being **CRM (A) 4301 of 2023** is disposed of.
 9. 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.)

