

21.09.2020
Item No.34
Ct.No.11
dc.
Partly Allowed

C.R.M. 6882 of 2020
C.R.A.N. 1 of 2020
(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chhatna P.S. Case No. 32 of 2020 dated 06.06.2020 under Sections 448/341/342/323/324/325/326/307/34 of the Indian Penal Code.

And

In the matter of : Sri Debdas Karmakar & Ors. ... Petitioners.

Mr. Mani Sankar Chattopadhyay ... For the Petitioners.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta ... For the State.

Petitioners undertake to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioners submits that the petitioners are innocent of the charges and they have been falsely implicated in the case because of previous rivalry.

Learned advocate for the State opposes the prayer of the petitioner and produces the case diary in support of his case.

We have perused the case diary, more particularly the injury report appearing therein. From the injury report of

Subhas Karmakar, we find the name of the persons who had assaulted the victim. On perusal of such report, we are of the opinion that prayer for anticipatory bail in respect of petitioner no.2 (Sri Rajesh Karmakar), petitioner no.3 (Sri Tapash Karmakar), petitioner no.5 (Sri Mantu Karmakar) and petitioner no.9 (Sri Dinesh Karmakar) should be rejected.

Accordingly, we allow the prayer for anticipatory bail of the petitioner no.1 (Sri Debdas Karmakar), petitioner no.4 (Sri Jhantu Karmakar), petitioner no.6 (Sri Pentu Karmakar), petitioner no.7 (Sri Tarini Karmakar), petitioner no.8 (Sri Kartik Karmakar), petitioner no.10 (Smt. Mridula Karmakar) and petitioner no.11 (Smt. Rama @ Basanti Karmakar).

In the event of arrest, the petitioner no.1 (Sri Debdas Karmakar), petitioner no.4 (Sri Jhantu Karmakar), petitioner no.6 (Sri Pentu Karmakar), petitioner no.7 (Sri Tarini Karmakar), petitioner no.8 (Sri Kartik Karmakar), petitioner no.10 (Smt. Mridula Karmakar) and petitioner no.11 (Smt. Rama @ Basanti Karmakar) shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 6882 of 2020 and CRAN 1 of 2020 are disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)