

15.10.2020
tkm
sl no. 46

**C.R.M. 7733 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Berhampore P.S case no. 81 of 2020 dated 22.1.2020 under sections 379/411/120B of the Indian Penal Code and sections 25(1)(a) of the Arms Act and sections 3/4 of the Explosive Substances Act

And

Allowed

In Re : Shiladitya Halder petitioner

Mr. Sabir Ahmed
Mr. A A Alamgir
Ms. R Das

..... for the petitioner

Mr. Swapan Banerjee
Ms. Sima Biswas

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case due to political rivalry. Investigation is complete. His complicity has transpired from statement of co-accused before police officer.

Learned lawyer for the state opposes the prayer for anticipatory bail and submits that the petitioner has criminal antecedents and had supplied arms to co-accused persons to commit murder.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime which appears to be founded on the statement of co-accused before police officer and as investigation is complete, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as

laid down under section 438(2) of the Code of Criminal Procedure, 1973.

The application being CRM 7733 of 2020 is disposed of.

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)