

45 02.12.2020
rkd Ct. No.03
(Allowed)

C.R.M. 9570 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** P.S. Case No. **296 of 2020** dated **06/10/2020** under Section **448/376/511** of the Indian Penal Code.

And

In the matter of: Swapan Biswas

....petitioner.

Mr. S. Mukherjee

...for the petitioner.

Mr. Saswata Gopal Mukherjee,

Ms. F. Hossain

...for the State.

It is submitted on behalf of the petitioner that there are case and counter case between the parties.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that petitioner was seen running out from the house of the victim.

Having considered the materials on record and bearing in mind the facts and circumstances of the case in the light of the submission that there are case and counter case between the parties and possibility of false implication on such score cannot be wholly ruled out, we are inclined to grant anticipatory bail to the petitioner.

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 for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)