

09.12.2020.

72.

as

(Allowed).

C.R.M. 9647 of 2020

With

CRAN 1 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata P. S. Case No.193 of 2020 dated 13.06.2020 under Sections 447/307/506/34 of the Indian Penal Code and Sections 25/27 of the N. D. P. S. Act.

In the matter of : Sudeb Karmakar. ... Petitioner.

Mr. J. Mishra.

...for the Petitioner.

Mr. Aditi nShankar Chakraborty,
Mr. Tapan Bhattacharyya.

.....for the State.

Heard the learned Advocates appearing for the parties.

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

Accordingly, the application, being CRAN 1 of 2020, is disposed of.

It is submitted on behalf of the petitioner that there is inordinate delay of 312 days in lodging the first information report. Petitioner prays for anticipatory bail.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record in the light of the submission relating to inordinate delay in lodging the first information report. That apart, there are no medical papers in support of the allegation of attempt to murder of the victim.

Under such circumstances, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Sudeb Karmakar 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)