

90 09.12.2020
rkd Ct. No.28
(Allowed)

**C.R.M. 10050 of 2020
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khanakul** P.S. Case No. **200 of 2020** dated **26.08.2020** under Sections **147/148/448/506** of the Indian Penal Code and under Sections **3/4** of the E.S. Act and under Sections **25/27** of the Arms Act.

And

In the matter of: Santosh Samanta

....petitioner.

Mr. N. S. Ghosh,
Ms. S. Mukherjee

...for the petitioner.

Mr. A. Hossain,
Ms. S. Biswas

...for the State.

It is submitted on behalf of the petitioner that the instant case is in retaliation to a criminal case lodged by an associate of the petitioner relating to murder of one of their party members. There is delay in lodging the first information report.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

We have considered the materials on record. We note that there is political rivalry between the parties. Possibility of false implication on such score cannot be ruled out. There is delay in lodging the first information report. 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 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.)