

12.01.21

S.R.

Sl.70

Ct.28

CRM No.28 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Baishnabnagar Police Station Case No.801 of 2015 dated 04.11.2015 under Sections 493/417/376/323/34 of the Indian Penal Code;

And

In re: Babor Sk. @ Md. Babor Ali ... petitioner.

Mr. Amitabha Karmakar ... for the petitioner.

Mr. Tanmay Kr. Ghosh

Mr. Pratick Bose ...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the criminal proceedings and that the primary accused has already been granted anticipatory bail.

The learned advocate appearing on behalf of the State respondents opposes the petitioner's prayer.

Having heard the learned advocates and upon considering the materials on record and as co-accused persons have already been granted anticipatory bail, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Babor Sk. @ Md. Babor Ali**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, 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 being CRM No.28 of 2021 is, thus, allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)