

19.01.2021
Court No.28
Item No. 196
Krishnendu
ALLOWED

C.R.M. 199 of 2021

(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Gobinda Sarkar**

.....Petitioner

Mr. Mazhar Hossain Chowdhury

....For the Petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

.....For the State

Apprehending arrest in connection with Gangarampur Police Station Case No. 457 of 2019 dated 11.12.2019 under sections 411/413/414/468/471 of the Indian Penal Code, 1860, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and his name has transpired on the basis of the statements made by two co-accused persons, who have already been arrested. In view thereof, custodial detention of the petitioner is not warranted.

The learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that charge sheet has already been submitted.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of

the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioner, namely **Gobinda Sarkar**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM No. 199 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)
Chakraborty, J.)

(Tapabrata