

02.03.2021
Item No.154
Ct.No.28
Subha
Allowed

C.R.M. 10741 of 2020
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In the matter of : **Amar Sarkar**

.. Petitioner.

Mr. Kalidas Saha

... For the Petitioners.

Mr. Imran Ali

Mr. C. R. Ghosh

... For the State.

Apprehending arrest in connection with Habibpur Police Station Case No. 192 of 2020 dated 20.06.2020 under Sections 498A/307/34 of the Indian Penal Code, the present application has been filed.

Mr. Saha, learned advocate appearing for the petitioner submits that the petitioner is the husband and he has been falsely implicated in the instant case on the basis of certain trivial matrimonial dispute.

Mr. Ali, learned advocate appearing for the State opposes the prayer for anticipatory bail of the present

petitioner and draws the attention of this court to the medical report.

We have perused the materials on record available in the case diary including the medical report and the statement of the witnesses.

Having regard to the same, we are of the opinion that the custodial detention of the present petitioner is not warranted.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Amar Sarkar** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 10741 of 2020 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)