

04.03.2021

Court No.28

rpan/ 26

C.R.M. 10745 of 2020
(Via video Conference)

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

And

In re: **Sahadeb Karmakar**

.....Petitioner.

Mr. Kallol Mondal,

Mr. M. A. Sk.,

Mr. Krishan roy,

Ms. Amrita Chel,

Mr. A. Banerjee

....For the Petitioner

Ms. Faria Hossain,

Ms. Baisali Basu

....For the State

Apprehending arrest in connection with Habibpur Police Station Case No. 360 of 2020 dated 11.10.2020 under Sections 341/325/308 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate for the petitioner submits that there was previous dispute with the informant and as such, the petitioner has been falsely implicated in connection with the instant case.

Learned advocate for the State opposes the prayer and draws the attention of this Court to the medical report.

We have heard the rival submissions of the parties and perused the medical report. On perusal of the same, we are of the opinion that custodial detention of the petitioner may not be

warranted in the facts and circumstances of the case. As such, the prayer for the anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sahadeb Karmakar** shall be released on bail upon furnishing a bond of ₹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. 10745 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.)