

12.03.2021
Ct.04
RP 105

CRM 11160 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Balurghat Police Station Case No.197 of 2020 dated 12.06.2020 under Sections 489A/489B/489C/120B of the Indian Penal Code.

And

In the matter of : Bhaskar Prova Sarkar @ Bhaskar Sarkar

.... Petitioner

Mr. Sourav Chatterjee
Mr. Koustav Bagchi
Mr. Arup Sarkar

.... For the Petitioner

Mr. Saibal Bapuli
Mr. Arani Bhattacharya

.... For the State

The present application under section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Bhaskar Prova Sarkar @ Bhaskar Sarkar is taken up for hearing and order.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and the principal accused and another co-accused standing on the same footing have been granted bail earlier. It is further submitted that recovery has been made from the house of the petitioner in his absence and he has no nexus with the alleged offence and investigation is complete.

Mr. Bapuli, learned advocate appearing on behalf of State opposes the prayer for anticipatory bail and refers to

the seizure list and statement of witnesses in the case diary.

It appears from the material available in the case diary that fake Indian currency notes were recovered from the residence of the petitioner in his absence. No independent witness was present during the seizure.

Having considered the materials available in the case diary and also as investigation is complete, we are inclined to hold that custodial interrogation of the petitioner is not required.

Accordingly, in the event of arrest, the petitioner is directed to be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount to the satisfaction of the Arresting Officer subject to condition that the petitioner will abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 11160 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)

