

CRM (A) 311 of 2022
(via video conference)

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

In the matter of : **Chiranjit Sarkar & Anr.**

..... petitioners

Mr. Satadru Lahiri
Ms. Smita Saha
Sk. Saidullah

.....For the petitioners

Mr. Partha Pratim Das
Mr. Amanul Islam

.....For the State

Apprehending arrest in connection with Gopalnagar Police Station Case No. 668/20 dated 18.12.2020 under Sections 306/34 of the Indian Penal Code, the present application has been preferred.

Heard the learned advocates appearing for the respective parties.

Upon assessing the materials in the case diary, it, *prima facie*, appears that the role assigned to the petitioners is similar to that of one Bikram Biswas and one Krishna Sarkar, who had already been granted anticipatory bail by a co-ordinate Bench of this Court on 19th August, 2021. The names of the petitioners do not feature in the First Information Report. Upon completion of investigation, charge sheet has also been submitted. In the said

conspectus, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Chiranjit Sarkar** and **Avijit Sarkar** shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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.

It is further directed that the petitioners shall not tamper with the evidence and/or intimidate the witnesses. They shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 311 of 2022, is, thus, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)