

(Through Video Conference)

CRM (A) 503 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.01.2022 in connection with Tehatta Police Station Case No. 58 of 2022 dated 20.01.2022 under Sections 448/376/511/506 of the Indian Penal Code.

-And-

In the matter of : **Swarajit Karmakar @ Rabin**

... ..Petitioner

Mr. Asraf Mandal, Advocate

... .. For the Petitioner

Mr. Navnil De, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The present police complaint is a counter blast to the earlier complaint lodged by the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure.

It appears from the records that the petitioner approached the learned Additional Chief Judicial Magistrate at Tehatta under Section 156(3) of the Code of Criminal Procedure on January 18, 2022. The police complaint was registered in respect thereon on January 21, 2022. However, the present police case was registered on January 20, 2022.

Considering the fact that there is a counter case by the petitioner and considering the disputes between the private parties, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 and on further condition that the petitioner will report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 503 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)