

08.11.2024
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SG
[ALLOWED]

C. R. M. (A) 3847 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Habibpur Police Station Case No. 228 of 2024 dated 26.08.2024 under Sections 126(2)/115(2)/117(2)/303(2)/76/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: Pabitra Sarkar and Anr.

... .. Petitioners

Mr. Md. Wasim Akram.

... .. for the petitioners

Mr. Partha Pratim Das,
Mr. Dipankar Mahata.

... .. for the State

1. Petitioners submit there was longstanding commercial transaction between the parties and they have been falsely implicated. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the anticipatory bail prayer.
3. We have considered the materials on record. There was longstanding commercial transaction between the parties. Injuries are not grievous. Investigation is complete.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct in the event of arrest, the petitioners viz., Pabitra Sarkar and Achintya Sarkar be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section

482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)