

AD 36
September 17, 2025
Ct. 28
SG

Allowed

CRM(A) 2910 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chinsurah P.S. Case No.117 of 2025 dated 14.04.2025 under Sections 103(1)/61(2)/3(5) of the BNS, 2023.

And

In the matter of:

Soumitra Karmakar @Fata Karmakar
... petitioner

Mr. Tapas Kumar Ghosh
Mr. Tanmay Chowdhury
... for the petitioner

Mr. Anand Keshari
Mr. Abhishek Verma
... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that apart from the statement of a co-accused there is no incriminating material available against the present petitioner. The statement of a co-accused is not admissible in evidence, especially after submission of charge-sheet as in the present case.

Learned counsel for the State relies on the case diary and the report and opposes the prayer for anticipatory bail. He submits that the CDR analysis shows that call records of the two did not provide any link between the co-accused and the present petitioner. However, there is a statement of the co-accused which implicates the present petitioner. There are criminal antecedents of the petitioner.

Considering the materials available in the case diary, the fact that other than the statement of the co-accused there is hardly any material available against the present petitioner, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall surrender before the jurisdictional court and pray for bail before the jurisdictional court within four weeks from this date and shall attend the court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Personal appearance of the investigating officer is noted and dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)