

15.06.2026
Sl. No.27
Ct. 28
NB

C.R.M (A) 1404 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kharagpur (local) PS Case No.361/2026 dated 29.04.2026 under Sections 117(2)/304(2)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sourav Karmakar @ Sourab Karmakar & Ors.
... petitioners

Mr. Amit Ranjan Pati,
Ms. Swastika Chowdhury,
Mr. Sourav Gupta,
Ms. Ilika Nag,
Mr. Avijit Chatterjee.
...for the petitioners.

Mr. Pinaki Bhattacharyya,
Mr. Neel Chakraborty.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case. The de facto complainant had earlier taken a sum of Rs.20Lakhs from the petitioner no.2 for his business purposes. But, he did not return the same. Earlier, the petitioner no.2 had lodged an FIR against the de facto complainant alleging extortion and commission of offences under the provisions of the Arms Act. The present case is a counterblast to those proceedings and started after about 50 days from the alleged date of occurrence with an allegation of snatching of gold ornaments.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the injury report, and the statements of witnesses.

Considering the above, the other materials available in the case diary and the fact that there are case and counter case, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest, the petitioners 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioners shall meet the Investigating Officer once a week till submission of report in final form.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)