

09.01.2026
Sl. No.35
NB

CRM (A) 4266 of 2025

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 Bongaon PS Case No.670/2023 dated 08.07.2023 under Sections 302/34 of the Indian Penal Code read with sections 25/27 of the Arms Act, 1959.

And

In the matter of: Krishna Sarkar

... petitioner

Mr. Susnigdho Bhattacharyya.
...for the petitioner.

Ms. Sreyashee Biswas,
Ms. Sanjida Sultana
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The only material available against the petitioner is the statement of a co-accused. The principal accused was arrested and was thereafter granted bail. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She relies on the statements of witnesses and the postmortem report. She specifically refers to the statements of the son of the victim who had stated about earlier animosity of the victim with the principal accused and the present petitioner and about earlier threats of murder given by the petitioner. It is also quite significant that the petitioner has remained absconding since 2023.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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.)