

08.01.2026
Item no. 20.
Court No.3.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 964 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar Police Station Case No. 508 of 2025 dated 02.06.2025 under Sections 329(4) / 115(2) / 117(2) / 76 / 79 / 324(2) / 351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

**In the matter of : Omkar Sarkar @ Onkar Sarkar.
.....Petitioner.**

Mr. Bibek Tarafder
.....for the Petitioner.
Mr. Abhijit Sarkar
Mr. Saikat Chatterjee
.....for the State.

Learned advocate appearing on behalf of the petitioner submits that the petitioner is allegedly foster son of the de-facto complainant who has been implicated in connection with the instant case on wild allegations because of inner family rivalry.

Learned advocate for the State has drawn the attention of the Court to the statement of the witnesses including that of the victim which was only by way of the allegations in the letter of complaint.

I have taken into account the totality of the circumstances and I am of the view that the custodial detention of the petitioner may not be warranted in the facts and circumstances of the

present case. Accordingly, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, I direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Since the investigation of the case is still continuing, the petitioner shall meet with the investigating officer once in a fortnight till the charge-sheet is furnished before the learned jurisdictional Court.

With the aforesaid observations CRM (A) 964 of 2025 is **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)