

01.11.19

Sl. No.36

akd

[ALLOWED]

C. R. M. 9340 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 25.09.2019 in connection with Phansidewa Police Station Case No. 51 of 2019 dated 18.02.2019 under Sections 406/409/420 of the Indian Penal Code. (G.R. Case No.470 of 2019)

And

In Re: ***Md. Parwese Alam Khan & Anr.***

... .. Petitioners

Ms. Mousumi Bhowal .. Advocate

... .. for the petitioners

Mr. Debajyoti Deb .. Advocate

... .. for the State

Heard the learned advocate appearing for both the parties.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the petitioners are innocent purchasers for value and the instant case has arisen out of a civil dispute, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely ***(1) Md. Parwese Alam Khan & (2) Mahelaka Khanam***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, 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 and on further condition that they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)