

01.10.2020

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**CRM 6977 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhaktinagar P.S. Case No.644 of 2020 dated 28.07.2020 under Sections 406/420 of the Indian Penal Code.

And

In the matter of: **Jadab Paul**

....Petitioner.

Mr. Debjit Kundu

...for the Petitioner.

Mr. Tapan Bhattacharyya
Mr. Niloy chakraborty

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner is the brother of the principal accused. Such principal accused has obtained bail from the lower court.

The complainant has claimed that a sum of Rs.15,00,000/- was paid in advance for the purchase of a land. The charge is that the principal accused was unable to make the land available and only returned Rs.8,00,000/- out of Rs.15,00,000/- taken.

Considering the nature of the allegations and the fact that this petitioner is merely an associate of the principal accused, the custodial interrogation of the petitioner may not be necessary as long as he reports to the investigating officer as and when called till the investigation is completed.

Subject to the above, in the event of arrest, the petitioner will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioner will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 6977 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)