

15.10.2020
tkm
sl no. 54

**C.R.M. 7752 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Burrabazar P.S case no. 106 of 2019 dated 30.3.2019 under sections 406/420 of the Indian Penal Code

And

Allowed

In Re : Jagan Nath Yadav petitioner

Mr. P Gupta

..... for the petitioner

Mr. Sudip Ghosh

Mr. B Banerjee

..... for the State

It is submitted on behalf of the petitioner that the ingredients of the alleged offence are not disclosed in the facts of the case. It is further submitted that there is no documentary evidence with regard to purported sale transaction.

Learned lawyer for the State submits that the petitioner had dishonestly taken advance for conveying immovable property but failed to do so.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner, we are of the opinion custodial interrogation of the petitioner for progress of investigation may not be necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

The application being CRM 7752 of 2020 is disposed of.

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)