

21.10.2020

Sl. No. 34
Srimanta

CRM/8274/2020

(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure 1973 in connection with apprehension of arrest of the petitioner in connection with Bolpur Police Station Case No. 102/2020 dated 23.03.2020 under Section 409 of the Indian Penal Code, 1860.

And

In the matter of : Debasish Pal

... Petitioner

Mr. Saryati Datta, Adv.

... for the petitioner/appellant

Mr. N. Ahamed, Adv.,
Ms. Anita Gaur, Adv.

... for the State

The petitioner undertakes to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Mr. Saryati Datta, learned Advocate for the petitioner/appellant submits that total alleged claim is a sum of Rs. 20,00,000/- and odd, out of which the petitioner has already paid Rs.13,00,000/- and odd. Remaining Rs.6,00,000/- and odd is allegedly due and payable to Bolpur Krishija Samabaya Samity Limited. That being the scenario we direct the petitioner to submit a bank draft of

Rs.5,00,000/- to the learned Registrar General of this Hon'ble Court by 3rd November, 2020. After receiving such Bank draft the Registrar General shall deposit the same in a Nationalized Bank with short-term fixed deposit with renewal option. Upon compliance of this condition the Bolpur Police Station is restrained from arresting the petitioner until further order. Needless to mention, in the event the petitioner fails to comply with the direction as indicated above, the Bolpur Police Station is at liberty to arrest the petitioner. We further make it clear the moment the petitioner will deposit the entire dues of Rs. 6,00,000/- and odd to the satisfaction of Bolpur Krishija Samabaya Samity Limited and obtain a no due certificate from the said Samabaya Samity and then after production of the said no due certificate before the Registrar General the petitioner will be at liberty to withdraw the amount with accrued interest from the learned Registrar General of this Hon'ble Court. The learned Registrar General is also directed to refund the said amount along with accrued interest after being satisfied with the no due certificate to be produced by the petitioner.

With the above observation, the application for bail being CRM 8274 of 2020 is allowed and disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)