

56 04.12.2020
rkd Ct. No.03
(Allowed)

**C.R.M. 9443 of 2020
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** P.S. Case No. **342 of 2020** dated **07/09/2020** under Section **406/420/323/506/34** of the Indian Penal Code.

And

In the matter of: Samir Hanra

....petitioner.

Mr. U. Banerjee

...for the petitioner.

Mr. M. Chatterjee

...for the defacto complainant.

Mr. A. Hossain,

Ms. S. Biswas

...for the State.

It is submitted on behalf of the petitioners that he has been falsely implicated in the instant case. It is further submitted that there is no corresponding contemporaneous document to support that the gold was entrusted to him.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the defacto complainant also opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that there is no contemporaneous documentation with regard to entrustment of gold to the petitioner, we are inclined to grant anticipatory bail to the petitioner.

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 and on further condition that he shall meet the investigating officer once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)