

14.01.2020

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Allowed

C.R.M. 375 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 10.01.2020 in connection with Maynaguri Police Station Case No. 431 of 2018 dated 23.10.2018 under Sections 406/409/420/120B/34 of the Indian Penal Code.

And

In Re : Somnath Dey petitioner

Mr. Navanil De
Mr. Debasish Mukhopadhyay
Mr. Anirban Banerjee
.....for the petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumar Dutta
....for the State

It is submitted by the learned Counsel appearing for the petitioner that there is a civil dispute between the parties.

Learned Counsel appearing for the State 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 the dispute arose in the course of a commercial transaction, we are inclined to grant anticipatory bail to the petitioner.

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 and on further conditions that he shall meet the investigating officer once in a week until further orders and shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)