

21.04.2021

Item No.231

Ct.No.28

dc.

Allowed

C.R.M. 913 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Kanishka Sethia**

... Petitioner.

Mr. Sandipan Ganguly,
Ms. Soni Ojha,
Mr. Rajiv Kumar

... For the Petitioner.

Mr. Rudradipta Nandy

... For the State.

Apprehending arrest in connection with Golabari P.S. Case No. 696 of 2018 dated 23.11.2018 under Sections 420/406/120B of the Indian Penal Code, the present application has been preferred.

Mr. Ganguly, learned senior advocate appearing for the petitioner submits that the criminal case has been registered after a considerable period of time and the nature of allegations have overtone of civil proceedings.

Mr. Nandy, learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner has been evading the process of law. It has been submitted that the investigation of the case has already been concluded and charge-sheet has already been filed.

Having regard to the fact that charge-sheet has already been submitted and considering the nature of allegations and complicity of the present petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is unwarranted in the facts and circumstances of the case.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Kanishka Sethia** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This order will remain in force for a period of eight weeks from date within which the petitioner shall appear before the jurisdictional court and pray for regular bail.

The application for anticipatory bail, being CRM 913 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)