

17.08.2021

Court No.30

rpan /02

C.R.M. 1423 of 2020

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Anil Kumar Biswas**

- Petitioner.

Ms. Kabita Mukherjee (through v.c.),

Mr. Manas Dasgupta,

Mr. Sanjoy Sukla

... for the petitioner.

Mr. Narayan Prasad Agarwala,

Mr. Pratick Bose,

Mr. Goutam Wilson

... for the State.

Apprehending arrest in connection with Dum Dum Police Station Case 825 of 2019 dated 19.09.2019 under Sections 420/468/469/471 of the Indian Penal Code, the present application has been preferred.

Ms. Mukherjee, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against him are unfounded as he had not executed any of the alleged forged deeds.

Records reveal that upon hearing the learned advocates appeared for the respective parties a co-ordinate Bench of this Court passed an interim order on 10th February, 2020 directing that the petitioner should not be arrested in connection with the case on condition that he should cooperate with the investigation and meet the investigating agency once in a week until further orders.

Mr. Agarwala, learned advocate appearing for the State submits that the petitioner has complied with the conditions as

incorporated in the earlier order of this Court dated 10th February, 2020. However, investigation is still in progress. A report, filed by the Sub Inspector of the concerned police station, as placed by Mr. Agarwala, be kept on record.

Having heard the learned advocates and considering the nature of allegations and as the petitioner has complied with the conditions, as incorporated in the earlier order dated 10th February, 2020, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Anil Kumar Biswas** shall be released on bail upon furnishing a bond of `10,000/- 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 and on further conditions that the petitioner shall cooperate in the investigation and shall meet with the Investigating Officer of the case once in a week on and from 23rd August, 2021 until further orders.

The application for anticipatory bail, being CRM No.1423 of 2020 is, thus, disposed of.

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

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)