

DI. October 8,
17. 2021

C.R.M. 1950 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on February 19, 2021 in connection with Ultadanga Police Station Case No. 23 of 2020 dated February 1, 2020 under Sections 420/406 of the Indian Penal Code;

And

In the matter of : Suraj Shaw	...petitioner.
Versus	
State of West Bengal	...opposite party.

Mr. Monojit Bhattacharya,
Ms. Sumitra Neogi,
...for the petitioner.

Mr. Prasun Kumar Datta,
Mr. N. P. Agarwal,
...for the State.

We have heard the learned advocates appearing for the parties.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in the instant case. It is further submitted that the defacto complainant has demanded brokerage at rates not agreed upon by the parties and that the parties are in the process of settling the dispute through negotiation.

The learned Advocate appearing on behalf of the State opposes the prayer for anticipatory bail.

It appears from the materials available before us that the petitioner has complied with the requirements of notice under Section 41A of the Code of Criminal Procedure and the nature and extent of complicity of the petitioner in commissioning the alleged offence does not call for custodial interrogation.

Under such circumstances, we direct that in the event of arrest of the petitioner, namely, **Suraj Shaw**, he shall be released on bail upon furnishing a bond of Rs. 50,000/- (Rupees fifty thousand) only with two sureties of like amount,

one of whom must be local, to the satisfaction of the arresting officer, subject to the conditions as laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure and on further condition that the petitioner shall meet the investigating officer of this case once in a week until further orders.

The application for anticipatory bail is, thus, **allowed**.

dns

(**Rabindranath Samanta, J.)**

(**Soumen Sen, J.)**