

31.08.2021
Item no. 06
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 2670 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 12.03.2021 in connection with Kandi Police Station Case No. 481 of 2020 dated 05.11.2020 under Sections 420/406/323/34 of the Indian Penal Code.

And

In the matter of : Sanatan Das @ Guruji.

.....Petitioner.

Mr. Biswabrata Basu Mallick, Advocate,
Mr. Ratul Biswas, Advocate,
Mr. Pawan Kr. Gupta, Advocate,
Mr. Kaushik Chowdhury, Advocate,
Mr. Sofia Nesar, Advocate,
Mr. Santanu Sett, Advocate,

.....for the Petitioner.

Mr. Rudradipta Nandy, Advocate,

.....for the State.

As recorded in our order dated August 13, 2021, the petitioner had undertaken to deposit rupees eight lakhs with the learned Court below. The petitioner has done so without prejudice to his rights and contentions.

Photocopy of the receipt produced by the petitioner be kept with the record.

We have considered the facts and circumstances of the case. The allegation is one of cheating. The amount involved has now been deposited by the petitioner in the learned Court below.

On an overall assessment of the material on record and the conduct of the petitioner, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the investigating officer.

Accordingly, 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, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 2670 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

