

04.10.2021
Serial no. 69
Dd

(Through Video Conference)

CRM 3568 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Golabari** Police Station Case No. **25** of **2021** dated **29.01.2021** under Sections **420/406/120B** of the Indian Penal Code.

-And-

In the matter of : **Ravindra Kumar Sethia & Ors.**
... Petitioners

Mr. Sourav Chatterjee,
Mr. Abhishek Chakraborty,
Ms. Swati Singh, Advocates
... ... For the Petitioners

Mr. Madhusudan Sur, Id. APP
Mr. Manoranjan Mahata, Advocates
... ...For the State

Mr. Jayanta Narayan Chatterjee,
Ms. Nibedita Chakraborty, advocates
... ...For the de facto complainant

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated.

State and the de facto complainant are represented.

Learned advocate appearing for the de facto complainant submits that the petitioners obtained a sum of Rs.1 crore 37 lakhs from his client from time to time for selling an immovable property. Subsequently, the petitioners sold such immovable property to a third party.

Learned advocate appearing for the State submits that the petitioners are not complying with notices under Section 41A of the Cr. P.C.

Learned advocate appearing for the petitioners submits that there was a transaction of about Rs.15 lakhs. The de facto complainant, thereafter, did not continue with the agreement. The de facto complainant filed a suit for specific performance in 2018. The de facto complainant lodged the First Information Report in 2021. He points out that one of the accused moved the Revisional Court by way of an application being CRR 1464 of 2021 in which an order dated August 10, 2021 was passed.

Considering the materials in the case diary and considering the fact that the de facto complainant filed a civil suit for specific performance and considering the order dated August 10, 2021 passed by the Revisional Court, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each, 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 condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date and on a further condition that the petitioners shall meet the Investigation Officer once in a month.

Prayer for anticipatory bail is **allowed**.

CRM 3568 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)