

16.09.2021
Serial no. 33
Dd

(Through Video Conference)

CRM 5879 of 2021

In re : An Application for anticipatory bail under Section **438** of the Code of Criminal Procedure filed on **31.08.2021** in connection with **Pandua** Police Station Case No. **277** of **2021** dated **02.07.2021** under Sections **406/420/506/34** of the Indian Penal Code.
-and-

In the matter of : **Rajesh Ghosh & Anr.**

...Petitioners

Mr. Sudip Ghosh Chowdhury,
Mr. Argha Das,
Mr. Abhishek Bose, advocates
... .. For the Petitioners

Mr. Rudradipta Nandy, advocate
... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were cited as witness in a criminal case pending against the de facto complainant. The present complaint by the de facto complainant is a counter-blast to the petitioners agreeing to be witnesses in the pending criminal case against the de facto complainant.

Learned advocate for the State opposes the prayer for grant of anticipatory bail.

Considering the facts and circumstances of the case and considering that the petitioners complied with the notices under Section 41A of the Criminal Procedure Code, 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 meet the Investigation Officer once in a week until further orders and that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date.

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

CRM 5879 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)