

17.12.2021
SL No.18
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1127 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with G.R. Case No.3980 of 2021 arising out of Bhaktinagar Police Station Case No.956 of 2021 dated 27.07.2021 under Sections 427/380/34 of the Indian Penal Code.

And

In the matter of : **Anil Chandra Roy & Ors.**

- Petitioners.

Mr. Kallal Ghosh,
... For the Petitioners.

Mr. Kallol Acharjee,
Mr. Sagnik Sankar Sikdar,
... For the State

The learned Counsel for the petitioners submits that the petitioners have been falsely implicated due to business rivalry and cancellation of an agreement. The petitioners and the defacto complainant are having a dispute which is similar in nature.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

Having regard to the materials available on record and the nature and extent of complicity of the petitioners in the commission of alleged offence, we are inclined to grant anticipatory bail to the petitioners. The prayer for anticipatory bail is, thus, allowed.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/-each, 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.

It is further directed that the petitioners, excepting petitioner No.5, shall meet the I.O. of the case once in a week until further orders and the petitioner No.5 shall cooperate with the investigation.

The application for anticipatory bail, being CRM No.1127 of 2021 is, thus, disposed of.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)