

25.03.2022.
128
Ct.No.28
as
(Allowed).

C.R.M. (A) 393 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Burwan P. S. Case No.225 of 2021 dated 12.08.2021 under Sections 406/420 of the Indian Penal Code.

In the matter of : Hannan Mia @ Sayed Giasuddin.
... Petitioner.

Mr. Manas Kr. Das.
...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that the dispute discloses a breach of a sale agreement and does not disclose ingredients of the alleged offences.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. It is alleged that petitioner failed to register immovable property in spite of receipt of consideration sum.

In view of the profile of the allegations and as there is considerable delay in lodging the first information report, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and he may be granted anticipatory bail subject to conditions.

Accordingly, we direct that in the event of arrest the petitioner viz., Hannan Mia @ Sayed Giasuddin shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner while on bail shall meet the investigating officer once in a week until further orders and that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)