

09.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1144 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sarani** Police Station Case No. **188** of **2021** dated **18.11.2021** under Sections 354/509/506 of the Indian Penal Code, 1860.

And

In Re : Sanjay Kumar Kejriwal @ Sanjay Kejriwal
..... petitioner

Mr. Sandipan Ganguly
Mr. Karan Dudhwewala
....for the petitioner

Mr. Rudradipta Nandy
....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. A franchise agreement was entered into between the wife of the petitioner and one company. A sum in excess of 40 lakhs was paid by the wife of the petitioner in terms of franchise agreement. The wife of the petitioner was not delivered materials in terms of the franchise agreement. Consequently, the wife of the petitioner lodged a police complaint. Three days thereafter, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded

under Section 164 of the Code of Criminal Procedure and the statement made by the petitioner before the police.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the present police complaint cannot be discounted to be a counterblast to the previous police complaint relating to the franchise agreement lodged by the wife of the petitioner, we grant anticipatory bail to the petitioner.

Accordingly, we direct that 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, to the satisfaction of the arresting officer and also be 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 shall meet the Investigating Officer once in a month till the conclusion of the investigation and on condition that the petitioner shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

