

10.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1164 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Cossipore** Police Station Case No. **229** of **2019** dated **23.11.2019** under Sections 120B/327/406/565/34 of the Indian Penal Code, 1860.

And

In Re : Madan Sarda @ Madan Mohan Sarda.

..... petitioner

Mr. Biswaranjan Bhakat

....for the petitioner

Mr. Abhra Mukherjee

Mr. Goutam Banerjee

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner responded to the notice issued under Section 41A of the Code of Criminal Procedure (Cr.P.C.). The possession of the godown was not made over to the petitioner.

Learned advocate appearing for the State refers to the materials in the case diary.

Considering the fact that there are elements of civil disputes involved and considering the gravity of the offence and the role of the petitioner therein, 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.)