

06.04.2022

Sl. 01
Court No.29
suvayan
(Allowed)

CRM (A) 1352 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** P.S. Case No. **555/2021** dated **06/12/2021** under Sections **406/420/506/34** of the Indian Penal Code, 1860.

And

In the matter of: Dipak Dolai @ Dipak Kumar Dolai & Anr.
....petitioners.

Ms. Sananda Bhattacharyya
...for the petitioners.

Mr. Debabrata Chatterjee
Ms. Manisha Sharma
...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there was a business relationship between the petitioners on one part and the de facto complainant on the other part. The accounts with regard to the businesses are required to be taken. The petitioners are not guilty of any cheating as wrongfully claimed.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that the petitioners brought bricks from the de facto complainant and did not pay for the same.

Apparently, there are civil disputes between the private parties. According to the petitioners, by reason of the business relationship, the petitioners used to purchase bricks and pay for the same by supplying goods to the de facto complainant.

In such circumstances, since the possibility of the civil disputes between the private parties cannot be ruled out, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the

petitioners shall be released on 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 condition that the petitioners will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 1352 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)