

31.03.2022
Serial no.32
CHC
Ct. No. 29
Allowed

CRM 2474 of 2021

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.03.2022 in connection with Eco Park P.S. Case No.116 of 2020 dated 09.07.2020 under Sections 420/406/34 of the Indian Penal Code.

-And-

In the matter of : **Prasenjit Dey**

... ..**Petitioner**

Mr. Niladri Sekhar Ghosh, Advocate

Mr. Tathagato Majumdar, Advocate

Mr. Rahul Karmakar, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee, Advocate

Ms. Purnima Ghosh, Advocate

... .. For the State

Ms. Anjana Banerjee, Advocate

...For the de facto complainant

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that petitioner was falsely implicated. The de facto complainant took money from the petitioner on the pretext of providing the petitioner with government job. There is a criminal proceeding pending in Jharkhand before the jurisdictional court at Jharkhand in that regard. The de facto complainant wanted to refund the money there. Thereafter, the de facto complainant lodged the present complaint against the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the materials available in the Case Dairy.

Considering fact that there is a previous police complaint lodged by the petitioner against the de facto complainant, and considering the contention of the petitioner that he is being falsely implicated and the present police

complaint is the counter-blast, we deem it appropriate to 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/- (Rupees Ten Thousand Only), 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 petitioner will report before the Investigating Officer once in a month till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail is allowed.

CRM 2474 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)