

27.04.2022

Sl. 85
Court No.29
suvayan
(Allowed)

CRM 2484 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Parnasree** P.S. Case No. **144** dated **04/07/2020** under Sections **420/406/506/120B** of the Indian Penal Code.

And

In the matter of: Sayanti Roy & Anr.

....petitioners.

Md. Sabir Ahmed
Mr. Mujibar Ali Naskar
Mr. S. Sarkar
Mr. Apan Saha
Mr. Tasnim Ahamed

...for the petitioners.

Mr. Sudip Ghosh
Mr. Apurba Kr. Datta

...for the State.

Ms. Pritha Bhaumik
Mr. Apalak Basu

...for the de facto complainant.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners paid the amount that the petitioners acknowledge that they received from the de facto complainant. According to the petitioners, nothing more is due and payable. Moreover, there is a child so far as the first petitioner is concerned.

State and the de facto complainant are represented.

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

Learned Advocate appearing for the de facto complainant submits that the petitioners obtained a loan of Rs.50,00,000/- (Rupees Fifty Lakh Only) out of which, from time to time, due to the intervention of the Court, the petitioners paid a sum of Rs.14,00,000/- (Rupees Fourteen Lakhs Only). She opposes the prayer for grant of anticipatory bail.

It is claimed on behalf of the petitioners that the police filed charge-sheet.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the fact that the rival contentions of the private parties round in civil liability, 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 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 2484 of 2021 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)