

21.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1797 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goghat** Police Station Case No. **61** of **2022** dated **15.03.2022** under Sections 406/420/34 of the Indian Penal Code, 1860.

And

In Re : Susmita Roy & Anr.

..... petitioners

Mr. Sudip Kushari

....for the petitioners

Mr. Rudradipta Nandy

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners and the de-facto complainant were in a business relationship pursuant to an agreement in writing. The present police complaint is an offshoot of the business relationship. The disputes are civil in nature.

Learned advocate appearing for the State submits that, the petitioners were avoiding the notices issued under Section 41A of the Code of Criminal Procedure (Cr.P.C.). The petitioner is guilty of not supplying the materials to the de-facto complainant.

Considering the nature of allegations against the petitioners and considering the fact that the petitioners and the

de-facto complainant were in a business relationship pursuant to a written agreement and considering the gravity of the offence and the involvement of the petitioners therein, 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/- each, 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 no. 1 (Susmita Roy) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner no. 2 (Supriya Guin) shall meet 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

