

29.04.2022

15

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1959 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dum Dum** Police Station Case No. **1282** of **2021** dated **08.12.2021** under Sections 420/406 of the Indian Penal Code, 1860.

And

In Re : Priyankar Roy & Anr.

..... petitioners

Mr. Milon Mukherjee

Mr. Himadri Kumar Mahata

....for the petitioners

Mr. Sudip Kumar Ghosh

Mr. Bitasok Banerjee

....for the State

Petitioners pray for anticipatory bail.

Learned senior advocate appearing for the petitioners submits that, the petitioner complied with the notice issued under Section 41A of the Code of Criminal Procedure (Cr.P.C.). The disputes are civil in nature.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The police complaint revolves around sale of a flat.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that the petitioners complied with 41A Cr.P.C. notice, 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 petitioners 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.)