

06.06.2022
cm/ct 28
sl no. 51

C.R.M. (A) No. 2284 of 2022

In Re : An application for bail under section 438 of the Code of Criminal Procedure in connection with **Netaji Nagar P.S Case No. 37 of 2019** dated **08.02.2019** under Sections **420 and 120B** of the Indian Penal Code.

And

In Re : Debraj Banerjee

..... petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Ms. Srimoyee Mukherjee
Mr. Sourav Mondal

... for the Petitioner.

Mr. Sudip Ghosh
Mr. Sekhar Barman

..... for the State

It is submitted on behalf of the petitioner that there was commercial dispute between the parties and he has been falsely implicated in the instant case.

Learned lawyer for the State submits that petitioner has not cooperated with the investigation.

We have considered the nature of allegations in the light of the aforesaid submission there was a commercial dispute between the parties. Keeping in mind the aforesaid facts, we are of the opinion though custodial interrogation may not be necessary, petitioner requires to cooperate with investigation in accordance with law.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction

of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions petitioner shall meet the investigating officer once in a week or until further orders.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) No. 2284 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)