

06.06.2022.
61.
Ct.No.28
as
(Allowed).

C.R.M. (A) 2295 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Purba Jadavpur P. S. Case No.30 dated 18.04.2022 under Sections 420/120B of the Indian Penal Code.

In the matter of : Sk. Anish Rahaman. ... Petitioner.

Mr. Somnanth Mukhopadhyay,
Mr. Saryati Datta.

...for the Petitioner.

Mr. Ranabir Ray Chowdhury,
Mr. Mainak Gupta.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that the dispute is a commercial one and failure to comply with contractual obligations were due to non-availability of raw materials which were to be provided by the de-facto complainant.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission regarding non-supply of raw materials by the de-facto complainant, we are of the opinion though custodial interrogation may not be necessary, petitioner requires to co-operate with investigation in accordance with law.

In view of the above, we are inclined 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/- 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 shall appear before the court below and pray for regular bail within four weeks from date and on further condition that the petitioner shall meet the Investigating Officer once in a week until further orders.

This application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)