

29.03.2022

Sl. 76

Court No.29

SD

(Allowed)

C.R.M. 4793 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **16.7.2021** in connection with **Survey Park** P. S. Case No. **119** of **2021** dated **08.7.2021** under Section **406** of the Indian Penal Code.

And

In the matter of: Partha Pratim Barman

....petitioner.

Mr. Dipankar Pal

Mrs. Kakali Naskar

...for the petitioner.

Mr. P.K. Datta

Mr. Santanu Deb Roy

...for the State.

Mr. Pawan Kr. Gupta

Ms. Sofia Nesar

Mr. Santanu Sett

...for the Defacto.

Learned advocate for the petitioner makes over two pay orders aggregating to sum of Rs.1,80,000/- to the learned advocate for the de facto complainant in Court. He also makes over a sum of Rs.1,20,000/- in cash to the learned advocate for the de facto complainant in Court.

The payment made by the petitioner to the de facto complainant and the receipt thereof are wholly without prejudice to the rights and contention of both the private parties in the criminal and the civil proceedings.

Considering the conduct of the petitioner and considering the gravity of the offence and involvement of the petitioner therein, we 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/- (Rupees Ten Thousand Only) 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 will report before the Investigating Officer once a month till conclusion of the investigation. On further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. 4793 of 2021 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)