

50 06.04.2022
(AD)
Court No.29
(Allowed)

C.R.M. 4846 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beniapukur** P.S. Case No.**207 of 2021**, Corresponding to G.R. Case No.1293 of 2021 dated **21/05/2021** under Sections **406/420/467/468/471/506/120B** of the Indian Penal Code, 1860 read with Section **66B** of the Information Technology Act, 2000.

And

In the matter of: Sumit Kumar Dey & Ors.

....petitioners.

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Milon Mukherjee, Sr. Adv.

Mr. Debajyoti Deb

Mr. Pabitra Biswas

Mr. Kutubuddin

...for the petitioners.

Mr. Rudradipta Nandy

...for the State.

Mr. Debashis Roy

Mr. Sandipan Ganguly

Mr. Arka Deb Bhattacharjee

Mr. Rajesh Upadhyay

... for the de facto complainant.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners are ready and willing to pay a sum of Rs.10,69,00,000/- (Rupees Ten Crores Sixty Nine Lakhs) to the de facto complainant in the manner as stated in paragraph 8 of the supplementary affidavit.

Supplementary affidavit filed in Court be taken on record.

Learned Advocate appearing for the de facto complainant submits that there are further claims as against the petitioners that the de facto complainant is entitled to recover.

State is represented.

Considering the statements made in paragraph 8 of the

supplementary affidavit filed on behalf of the petitioners 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/- (Rupees Ten Thousand Only) each 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 condition that the petitioners will report before the Investigating Officer as and when called for 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.

The prayer for anticipatory bail of the petitioners is allowed.

This order will, however, not prevent the de facto complainant from realizing the balance of its claims from the petitioners.

C.R.M. 4846 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)