

18.07.2022
Serial no. 39
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 3412 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **216** of **2022** dated **04.04.2022** under Sections **420/468/472/474/506/34** of the Indian Penal Code(Corresponding to G.R. Case no. **1029** of **2022**)

-And-

In the matter of : **Manjuri Barman & Ors.**

... .. Petitioners

Mr. Kaushik Chowdhury,
Ms. Busra Khatun, Advocates
... .. For the Petitioners

Mr. S. S. Imam,
Mr. A. Manna, Advocates
... ..For the State

Petitioners prays for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. There a previous civil suit in respect of the immovable property concerned pending before the civil Judge.

Learned advocate appearing for the State refers to the materials in the case diary. He submits that the investigations are still on going.

There is a civil suit being T. S. no. 69 of 2021 pending before the Civil Judge, Junior Division, Uttar Dinajpur in respect of the immovable property concerned filed at the behest of the petitioner no. 1 and one Hiranmoy Bose.

In such circumstances, it would be appropriate to grant anticipatory bail to the petitioners in view of the pendency of the civil suit.

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 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 petitioner nos. 2 and 3 shall report before the Investigating Officer as and when called for till the conclusion of the investigation and petitioner no. 1 shall cooperate with the investigation till its completion and on further condition that the petitioners shall appear on every date 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 3412 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)