

10.08.2022
Serial no.16
Aloke

CRM (A) 3806 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Golabari Police Station Case No. 20 of 2022 dated 15.01.2022 under Sections 419/420/406/506/34 of the Indian Penal Code.

-And-

In the matter of : **Gargi Mullick**

... ... Petitioner

Mr. Subhasish Panchal, Advocate

... ... For the Petitioner

Mr. Rudradipta Nandy, Id. APP

Mr. S. Roy, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner was in fact a victim of cheating. He submits that the accused herein cheated the petitioner of a sum in excess of Rs.6 lakhs on the false promise of marriage and providing job. He submits that the de facto complainant and the petitioner were known to each other.

Learned Advocate appearing for the State draws the attention to the materials in the case diary including the statement of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure.

Apparently, the de facto complainant and the petitioner were cheated by the same person contemporaneously. There is a police complaint lodged at the behest of the petitioner against the same accused as involved in the present police case. Such police complaint is earlier in point of time than the present police complaint.

In such circumstances, 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/- (Rupees Ten Thousand Only), 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 condition that the petitioner shall cooperate with the investigation till the conclusion of the investigation and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 3806 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)