

12.08.2022
Serial no.11
Aloke

CRM (A) 3866 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.

-And-

In the matter of : **Hiranmoy Basu**

... .. Petitioner

Ms. Busra Khatoon, Advocate

... .. For the Petitioner

Mr. S.S. Imam, Advocate

Mr. Arabinda Manna, Advocate

... ...For the State

Petitioner seeks anticipatory bail on the ground of parity with the other co-accused who was enlarged on anticipatory bail by the order dated July 18, 2022 passed in CRM (A) 3412 of 2022.

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

There is a civil suit pending. The claim of parity cannot be overlooked.

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 meet the Investigating Officer as and when called for 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) 3866 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)