

18.08.2022

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Ct. No. 29
KAUSHIK
Allowed

C.R.M.(A) 3948 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kalyani** Police Station Case No. **442** of **2022** dated **04.08.2022** under Section 379 of the Indian Penal Code, 1860.

And

In Re : Satadru Manna @ Satudra Manna

..... petitioner

Mr. Shibaji Kumar Das

Ms. Rupsa Sreemani

....for the petitioner

Mr. Prasun Kumar Dutta

Mr. Santanu Deb Roy

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The de-facto complainant sold his vehicle to the petitioner for a sum of Rs.1,60,000/- and granted a receipt in respect thereof. The petitioner signed different forms for registration. At the time for registration of the vehicle the de-facto complainant demanded further money, which the petitioner refused to pay. The petitioner thereafter lodged the complaint with the police. Subsequent thereto, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the father of the petitioner recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

The application for anticipatory bail contains photocopy of the money receipt allegedly signed by the de-facto complainant acknowledging sale of the vehicle and receipt of consideration in respect thereof.

There are, therefore, civil disputes between the private parties.

In such circumstances, 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/-, 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 shall meet the Investigating Officer as and when called for till the conclusion of the investigation and on 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

