

7 23.08.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 3974 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ultadanga** P.S. Case No.**180 of 2021** dated **28/10/2021** under Sections **409/427/448/451/114/120B** of the Indian Penal Code, 1860 (corresponding to G.R. Case No.2636 of 2021).

And

In the matter of: Padmabati Shaw & Ors.

....petitioners.

Mr. Aniruddha Mitra
Mr. A. Abdullah
Mr. Gaurav Purkayastha
Mr. Anirban Ghosh

...for the petitioners.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

...for the State.

Mr. Apalak Basu
Mr. Shubhojyoti Datta
Mr. Joydeep Dey

... for the de facto complainant.

Petitioners pray for anticipatory bail.

Three civil suits are pending.

There are disputes *inter se* between the private parties with regard to the functioning of a partnership firm.

Considering the materials in the case diary and the fact that the civil suits are pending, 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 petitioner no.1, namely, Padmabati Shaw, will cooperate with the investigation till the conclusion of the investigation and petitioner nos.2 and 3, namely, Ashit @ Asit Kumar Shaw and Sanjib Kumar Saha, 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 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 3974 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)