

28.03.2022

144

Ct. No. 29

KAUSHIK

Allowed

C.R.M. 8192 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burdwan** Police Station Case No. **42** of **2021** dated **16.01.2021** under Sections 420/406/467/468/471 of the Indian Penal Code, 1860.

And

In Re : Sumanlal Kodialbail

..... petitioner

Mr. Ayan Bhattacharya

Mr. Sharequl Hoque

Mr. Aditya Ratan Tiwary

Mr. Subhajit Manna

Mr. Amitabrata Hait

Mr. Somdev Ash

Mr. Suman Majumder

....for the petitioner

Mr. Rudradipta Nandy

....for the State

Leave granted to the learned advocate-on-record of the petitioner to correct the cause title.

The case diary kept with the record be returned to the learned advocate appearing for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. Th petitioner was married to the de-facto complainant in the year 1997. The de-facto complainant thereafter eloped in the year 2019. In

between, the petitioner was asked by the de-facto complainant to join the business of the father of the de-facto complainant with the petitioner. There is a police case in Gujarat where the de-facto complainant states that she left voluntarily with all her belongings. The present police case was subsequently launched after the petitioner started an institution of his own and is running the same.

Learned advocate appearing for the State submits that, it is alleged against the petitioner that he took money from the other institutions belonging to the de-facto complainant.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the materials in the case diary, 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 once in a month till the conclusion of the investigation and on condition that the petitioner shall appear every day 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)