

CRM (A) 4257 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 310 of 2021 dated 23.06.2021 under Sections 465/467/468/34 of the Indian Penal Code.

-And-

In the matter of : **Aniruddha Dutta & Anr.**

... .. Petitioners

Mr. Sambhunath De, Advocate

Mr. B.K. Samanta, Advocate

... .. For the Petitioners

Mr. Sudip Ghosh, Advocate

Mr. Bitasok Banerjee, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Affidavit filed in Court be taken on record.

In the affidavit filed in Court, the petitioners claim that the petitioners do not have any right, title and interest over the portion belonging to the de facto complainant in respect of the immovable property.

Petitioners will submit a copy of the affidavit filed in Court to the Investigating Officer forthwith.

Apparently, there are civil disputes between the private parties.

In such circumstances, we are inclined to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall meet the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 4257 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)