

09.09.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4343 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bantra** Police Station Case No. **153** of **2022** dated **19.07.2022** under Sections 420/406 of the Indian Penal Code, 1860.

And

In Re : Sarbani Polley & Anr.

..... petitioners

Mr. Abhra Mukherjee

Mr. Sauradeep Dutta

....for the petitioners

Mr. Debabrata Roy

Mr. Soumik Mondal

Mr. Avijit Addhya

....for the de-facto complainant

Mr. Madhusudan Sur

Mr. Dipankar Pramanik

....for the State

State and the de-facto complainant are represented.

There is a civil suit pending.

There is also a probate proceeding pending.

Apparently, the disputes are civil in nature.

In such circumstances, 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/- 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 further condition that the petitioner no. 1 (Sarbani Polley) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner no. 2 (Indranath Polley) shall meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)