

30.09.2022

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Dd

Allowed

CRM (A) 4731 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hura** Police Station Case No. **50** of **2022** dated **26.03.2022** under Sections **467/468/471/120B/506** of the Indian Penal Code.

And

In Re : Amiya Mandal petitioner

Mr. Soumik Ganguli,

.....for the petitioner

Ms. Anasuya Sinha,
Ms. Subhasree Patel,

....for the State

Heard learned lawyers for the parties.

It is submitted on behalf of the petitioner that there is a civil dispute between the parties. De facto complainant refunded a portion of the sale consideration. Co-accused has been granted pre-arrest bail.

Learned lawyer for the State submits that the petitioner is the principal accused.

We have considered the materials on record. Allegations relate to enforcement of a sale agreement. It is contended that part of the sale consideration was refunded by the de facto complainant.

In view of the aforesaid circumstances, we are of the opinion that custodial interrogation may not be necessary. Petitioner requires to cooperate with the investigations.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.

This application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)