

31.10.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4737 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Durgapur** Police Station Case No. **214** of **2020** dated **12.07.2020** under Sections 420/406/409/467/468/471/120B/34 of the Indian Penal Code, 1860.

And

In Re : Din Dayal Chand Bhandari & Ors.

..... petitioners

Mr. Jaydeep Biswas

Mr. Kaushik Ghosh

....for the petitioners

Mr. Krishan Ray

Mr. Apurbo Ghosh

Mr. Pronojit Roy

....for the de-facto complainant

Mr. Ranabir Roychowdhury

Mr. Sandip Chakraborty

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners stand on the same footing as that of the other co-accuseds, who were granted anticipatory bail on September 26, 2022 passed in CRM(A) 4470 of 2022.

Learned advocate appearing for the State submits that, the police filed charge-sheet.

Learned advocate appearing for the de-facto complainant submits that, anticipatory bail were granted to the other two co-

accused in consideration of their respective age. The petitioner cannot claim parity with the other two co-accuseds.

There are civil disputes pending between the private parties. The dispute relates to a trust. There are criminal proceedings also pending.

Two co-accuseds were enlarged on anticipatory bail by the order dated September 26, 2022 passed in CRM(A) 4470 of 2022.

The police filed charge-sheet.

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 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.)