

30.09.2022
KC (10)

C.R.M.(A) 4595 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the Matter of : Nityananda Khan

.... petitioner.

Mr. Paartha Ghosh,
Mr. Amal Kumar Dutta,
Ms. Ria Paul,
Ms. Simran Sureka,
Mr. Debashis Das,
Mr. Rahul Agarwala.....For the petitioner.

Mr. Amajit De,
Mr. Pradyot Saha.....For the C.B.I.

This criminal case arose out of a written complaint lodged by one Fayezuddin Mia with Dinhata Police Station on 6th February, 2014.

The accusation against the petitioner is under Sections 406/420/120B of the Indian Penal Code, 1860 read with Sections 4, 5 and 6 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978.

In March, 2022 the charge-sheet has been submitted. A supplementary charge-sheet is intended to be filed.

The records show that more or less the petitioner has cooperated with the investigation.

Since 2014, he has not been taken into custody. The facts do not warrant that the petitioner should now be interrogated in custody.

In those circumstances, we allow this application for anticipatory bail on the following terms:

We direct that in the event of arrest the petitioner shall be released on bail on furnishing security of Rs. 10,000/- (Rupees Ten Thousand) with personal release bond of equivalent value to the satisfaction of the arresting officer.

The petitioner will also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

We impose further conditions that:

- (a) The petitioner shall immediately deposit his passport, if he has one, with the investigating officer.
- (b) He shall appear before the investigating officer for interrogation as and when summoned.
- (c) He shall not leave the limits of the Paschim Bardhaman without informing the investigating officer of the details of his whereabouts.
- (d) The petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date.

CRM(A) 4595 of 2022 is disposed of.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)

