

10.11.2022
Serial no. 12
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 5134 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Mogra** Police Station Case No. **08** of **2021** dated **07.01.2021** under Sections **417/468/409** of the Indian Penal Code.

-And-

In the matter of : **Prosenjit Modak**

... .. Petitioner

Mr. Phiroze Edulji
Ms. Rajnandini Das, Advocates
... .. *For the Petitioner*

Mr. Madhusudan Sur, Id. APP
Mr. Manaranjan Mahata, Advocates
... .. *For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the contents of the police complaint. He submits that the petitioner is guilty of defalcating a sum of Rs.1 lakh.

The police complaint is dated January 7, 2021. The police filed charge sheet.

The complaint revolves around documents.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

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 further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 5134 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)