

17.11.2022
Serial no. 36
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 5269 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hemtabad** Police Station Case No. **205** of **2022** dated **04.07.2022** under Sections **420/406/468/34** of the Indian Penal Code.

-And-

In the matter of : **Arnab Kanti Basak**

... .. Petitioner

Mr. Sourav Chatterjee,
Mr. Sayan De,
Mr. Sayan Kanjilal,
Mr. Kaustav Shome, Advocates
... .. *For the Petitioner*

Mr. S. S. Imam, jr. Govt. Adv.
Mr. R. Jana, Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

The petitioner is the Branch Manager of a Bank which sanctioned credit facilities on mortgage of title deeds.

Apparently, the title deed was in the name of the two brothers.

It is claimed by the de facto complainant that, the signature of the elder brother was forged. It is also the claim that the petitioner herein, who is the Branch Manager, was complicit in the incident.

Learned advocate for the State draws the attention of the Court to the statement of the elder brother recorded under Section 164 of the Criminal Procedure Code.

The elder brother was not present at the time when the banking documents were being executed.

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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation 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) 5269 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)