

12.12.2022

Sl.40
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5759 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hogalbaria** Police Station Case No. **249 of 2022** dated **04.08.2022** under Sections **420/406/34** of the Indian Penal Code.

And

In the matter of: **Soumen Pramanik & Ors.**

....petitioners.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

...for the State.

The petitioners claim for parity with the other co-accused who was enlarged on anticipatory bail by the order dated November 7, 2022 passed in CRM (A) 4614 of 2022.

State is represented.

It appears that the entire defalcated amount was returned to the authorities.

Co-accused was enlarged on anticipatory bail by the order dated November 7, 2022 passed in CRM (A) 4614 of 2022.

In such circumstances, we grant anticipatory bail to the petitioners *inter alia* on the ground of parity.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that

the petitioners will report before the Investigating Officer once a month till the conclusion of the investigation 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5759 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)