

29.08.2022
Serial no. 01
[Dd]
(Anticipatory bail)
Allowed)

***In the High Court at Calcutta
Circuit Bench at Jalpaiguri***

CRM (A) 422 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Mekhliganj** Police Station Case No. **154** dated **14.05.2022** under Sections **420/406/506** and **34** of the Indian Penal Code, corresponding to G.R. Case No. **339/2022**

-And-

In the matter of : **Raghunath Dey**

... .. Petitioner

*Mr. Ayan Bhattacharjee,
Mr. Dhiraj Kr. Pandey,
Ms. Sushmita Dey,
Ms. Ritu Das,, Advocates
... .. For the Petitioner*

*Mr. Ujjwal Luksom
Mr. Tapan Bhattacharjee, Advocates
... ..For the State*

*Mr. Ratan Chandra Roy,
Mr. Surajit Basu, Advocates
.. ..For the de facto complainant*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that there are disputes with regard to a proprietorship firm. He submits that the proprietor is on anticipatory bail. The petitioner is a mere employee.

Learned advocate appearing for the State submits that the petitioner did not comply with three notices issued under Section 41A of the Criminal Procedure Code.

It appears from the records that by an order dated July 12, 2022 passed by the learned Sessions Judge, the proprietor was granted anticipatory bail.

The petitioner here claims to be an employee.

Apparently, there are civil disputes involved.

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) 422 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)