

01.02.2023
Serial no. 27
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 407 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Khanakul** Police Station Case No. **383** of **2022** dated **04.09.2022 (G.R. case no. 1031 of 2022)** under Sections **420/406/464/465/467/468/471/34** of the Indian Penal Code.

-And-

In the matter of : **Kamal Bera & Ors.**
... .. **Petitioners**

Mr. Niladri Sekhar Ghosh,
Mr. Sourov Mondal,
Ms. Sompurna Chatterjee, Advocate
... .. *For the Petitioners*

Mr. Swapan Banerjee,
Ms. Purnima Ghosh, Advocate
... ..*For the State*

There is a civil suit being T.S. No. 89 of 2022 pending in the Court of learned Civil Judge, Junior Division, 1st Court at Arambagh, Hooghly relating to an immovable property in respect of which the police complaint was lodged.

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

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 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 nos. 1 and 2 shall report before the Investigating Officer once in a month till the

conclusion of the investigation and petitioner nos. 3 and 4 shall cooperate with the investigation till its completion and on further 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.

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

CRM (A) 407 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)