

22.02.2023

Sl.8

Court No.29

(AD)

(Allowed)

C.R.M. (A) 541 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Golabari** Police Station Case No.**448 of 2022** dated **01.12.2022** under Sections **420/406/34** of the Indian Penal Code. (Corresponding to G.R. Case No.6723 of 2022).

And

In the matter of: **Mr. Sagar Ranjan Swain**

....petitioner.

Mr. Sabyasachi Banerjee

Mr. A.P. Agarwalla

... for the petitioner.

Mr. Prasun Kumar Datta, Ld. APP

Mr. Nirupam Dhali

...for the State.

Mr. Apalak Basu

Mr. Abhijit Sarkar

Mr. Abhikchitta Kundu

... for the de facto complainant.

Petitioner prays for anticipatory bail.

Petitioner, State and the de facto complainant are represented.

The complaint revolves around agreements entered into in writing.

The Court is informed that the machine was made over by the petitioner to the de facto complainant.

Learned Advocate appearing for the de facto complainant submits that machine was received in a damaged condition.

Considering the materials in the case diary and the conduct of the parties, we deem it appropriate 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

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

C.R.M. (A) 541 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)