

13.02.2023

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 628 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1345** of **2022** dated **29.08.2022** under Sections 465/468/471/109 of the Indian Penal Code.

And

In Re : Asgar Alam & Ors.

..... petitioners

Mr. Pawan Kumar Gupta

Ms. Salma Sultana Shah

....for the petitioner

Mr. Aviehek Sinha

....for the State

A civil suit is pending in respect of the immovable property concerned.

Apparently, three police complaints were lodged.

In one of the police complaint, the accused person therein was granted anticipatory bail.

In such circumstances, we 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/- 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

petitioners shall meet 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)