

16.02.2023
Serial no. 33
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 667 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Indas** Police Station Case No. **148** of **2022** dated **19.12.2022** under Sections **420/406/506/34** of the Indian Penal Code.

-And-

In the matter of : **Kaushik Nandy**

... .. Petitioner

Mr. Malay Bhattacharyya, Advocate
... .. *For the Petitioner*

Mr. S. S. Imam, jr. govt. adv.
Mr. R. Jana, Advocates
... ..*For the State*

There is a civil suit claiming specific performance of an agreement. The petitioner is a party defendant in such suit.

In such circumstances, an element of civil dispute is involved in the police complaint.

Consequently, 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 month 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) 667 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)