

23.02.2023

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 807 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Labpur** Police Station Case No. **113** of **2022** dated **13.07.2022** under Sections 420/467/468/471 of the Indian Penal Code.

And

In Re : Sekh Ekramul Haque @ Ekramul Haque & Anr.

..... petitioners

Mr. Manas Kumar Das

Ms. Shabana Hasin

Mr. Aritra Kumar Thokdar

....for the petitioners

Mr. M Alam Sk

Mr. S. N. Hossain

....for the de-facto complainant

Mr. P. K. Dutta

Mr. Santanu Deb Roy

....for the State

A civil suit is pending between the private parties with regard to an immovable property.

The police complaint revolves around immovable property.

Disputes, apparently, are civil in nature.

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 as and when called for 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.)