

17.04.2023

Serial no.04

Dd
(Allowed)

CRM (A) 888 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Asansol (North)** Police Station Case No. **271** of **2022** dated **17.06.2022** under Sections **420** and **409** of the IPC.(G.R. Case NO. 1978/2022)

-And-

In the matter of : Sri Malay Majhi

... ..**Petitioner**

*Mr. Milon Mujkherjee, Id. Sr. adv.
Ms, Minoti Gomes,
Mr. Dhrubaraj Bhowmik,
Mr. Prodyut Banerjee, Advocates
... .. For the Petitioner*

*Mr. Abhishek Banerjee,
Ms. Parna Roy Chowdhury, Advocates
... ..For the de facto complainant*

*Mr. Saibal Bapuli, Id. APP
Mr. Bibaswan Bhattacharya, Advocates
.. ...For the State*

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Learned senior advocate appearing for the petitioner on instruction makes over demand draft aggregating to a sum of Rs.10,95,200/- to the learned advocate for the de facto complainant.

Learned advocate appearing for the de facto complainant on instructions submits that subject to the encashment of the demand draft, the entire claim of the de facto complainant as against the petitioner stands satisfied.

Considering the conduct of the petitioner and the materials in the case diary, 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 as and when called for 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) 888 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)