

04.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1324 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **211** of **2023** dated **17.03.2023** under Section **376** of the Indian Penal Code.

And

In the matter of : Nabamita Nayek @ Nabamita Mondal & anr.

..... petitioners

Mr. Soumya Nag,

Ms. Namrata Chatterjee

....for the petitioners

Mr. Abhra Mukherjee,

Mr. Dipankar Mahata

....for the State

Apparently, there is a police complaint against the petitioners claiming that the petitioners cheated the de facto complainant for a sum in excess of Rs.2,27,000/-.

Learned advocate appearing for the petitioners submits that in order to show the bonafides of the petitioners, the petitioners are making over a sum of Rs.50,000/- by way of a pay order to the de facto complainant. The petitioners are also making over two post dated cheques for the balance of the sum claimed by the petitioners.

State is represented.

Considering such conduct of the petitioners we deem it appropriate to 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/- (Rupees Ten Thousand only) 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 petitioner no.1, namely, Nabamita Nayek @ Nabamita Mondal will cooperate with the Investigating Officer till the conclusion of investigation and petitioner no.2, namely, Tapas Nayek will report before the Investigating Officer as and when called for 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 accuseds 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.)

