

30.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1339 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. **46** of **2021** dated **09.01.2021** under Section 380 of the Indian Penal Code, 1860.
And

In Re : Palash Saha & Anr.

..... petitioners

Mr. Debayan Sen

Mr. A. Chowdhury

....for the petitioners

Mr. Apurba Kumar Ghosh

....for the de-facto complainant

Mr. Sudip Kumar Ghosh

Mr. Bitasok Banerjee

....for the State

Police filed charge-sheet.

In a writ petition complaining of police inaction, the Writ Court passed an order dated January 18, 2023, which notes that there was business rivalry between the private parties.

Apparently, the disputes between the private parties are civil in nature.

State and the de-facto complainant are represented.

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 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.)