

10.04.2023
Sl.5
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1460 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhadreswar** Police Station Case No.**124 of 2023** dated **17.03.2023** under Sections **341/323/406/506/34** of the Indian Penal Code, 1860.
And

In the matter of: **SukantaSaha Chowdhury**

....petitioner.

Md. Sabir Ahmed
Mr. Biswajit Sarkar
Ms. Suman Biswas

... for the petitioner.

Md. Anwar Hossain
Ms. Sreyashee Biswas

...for the State.

Petitioner prays for anticipatory bail.

There are civil proceedings pending between the petitioner and the de facto complainant.

There is a civil suit.

There is also an application under Section 8 of the Arbitration and Conciliation Act, 1996.

The Court is informed that, there is an award passed by the arbitral tribunal governing the subject matter.

Consequently, we are of the view that, there are disputes of civil nature involved.

In such circumstances, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will

report before the Investigating Officer as and when called for till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1460 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)