

12.04.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1540 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shantiniketan** Police Station Case No. **03** of **2023** dated **19.01.2023** under Section 406 of the Indian Penal Code, 1860.
And

In Re : Amit Roy

..... petitioner

Mr. Kunal Ganguly
Mr. Tirthankar Mukherjee
Ms. Madhurima Sarkar
....for the petitioner

Mr. Saibal Bapuli
Mr. Arijit Ganguly
Mr. Bibaswan Bhattacharya
....for the State

Apparently, there is some delay in the lodgment of the First Information Report.

It is the claim of the petitioner that, when the petitioner demanded the back wages, he was falsely implicated. Jural relationship of employer and employee appears from the materials in the case diary.

Consequently, we deem it appropriate 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/-, 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 meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)