

19.04.2023

24

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1653 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Asansol (South)** Police Station Case No. **35** of **2023** dated **02.02.2023** under Sections 420/406/467/468/469/472/472A/506/120B of the Indian Penal Code, 1860.

And

In Re : Partha Mukherjee

..... petitioner

Mr. Bitasok Banerjee

Mr. A. K. Dutta

....for the petitioner

Mr. Avishek Sinha

....for the State

The police complaint revolves around affairs of a partnership firm.

Apparently, petitioner is a partner of such firm. It is alleged as against the petitioner that the petitioner misappropriated funds of the partnership.

There are elements of civil disputes 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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)