

11.05.2023

Serial no. 13

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1937 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **New Market** Police Station Case No. **157** dated **20.07.2022** under Sections **120B/420/467/468/471** of the Indian Penal Code.*

-And-

In the matter of : **Tantiya Basu**

... .. Petitioner

*Mr. Santanu Talukdar,
Ms. Somosree Chatterjee,
Mr. Prasun Mukherjee, Advocates
... .. For the Petitioner*

*Mr. Saibal Bapuli, Id. APP
Mr. Aruni Bhattacharyya, Advocates
... ..For the State*

Learned advocate appearing for the petitioner points out that the petitioner was wrongly described as a housewife in the affidavit portion although the petitioner is a school teacher.

Learned advocate for the State draws the attention of the Court to the materials in the case diary. He refers to the written instruction. He submits that despite notices issued under Section 91 of the Criminal Procedure Code to the de facto complainant, no response was received.

At this stage apparently, there are hardly any materials in the case diary suggesting that the petitioner is involved in the offences as alleged.

In such circumstances, we are inclined 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/- (Rupees Ten Thousand Only), 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 cooperate with the investigations till its conclusion and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 1937 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)