

11.05.2023

Serial no. 14

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1938 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sutahata** Police Station Case No. **358** of **2022** dated **21.10.2022** under Sections **420/506/34** of the Indian Penal Code.*

-And-

In the matter of : **Hriday Kumar Mondal @ Hidayetula Mondal**

... .. Petitioner

*Mr. Atis Kumar Biswas,
Mr. Amit Singh,
Ms. Jyoti Agarwal, Advocates
... .. For the Petitioner*

*Mr. Kaushik Kundu, Advocate
... ..For the State*

The police complaint proceeds on the basis of a commercial transaction.

Apparently, accounts between the private parties are required to be taken in order to ascertain as to whether there is any civil liability as claimed by the de facto complainant or not. The police complaint was registered under Section 156(3) of the Criminal Procedure Code.

Consequently, 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 report before the

Investigating Officer as and when called for till the conclusion of the investigation 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) 1938 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)