

20.07.2023
(D/L 57)
Ct. No.29
Allowed
(SKB)

CRM (A) 2629 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali P.S. Case No.169 of 2021 dated 05.03.2021 corresponding to G.R.No. 652 of 2021 under Sections 420/406/506/34 of the Indian Penal Code.

In the matter of : Kanchan Kumar Dhara and another
... Petitioners

Mr. Mohan Kr. Putatundu,
Mr. Ramashis Mukherjee,
Mr. Abhinaba Chatterjee
... for the petitioners

Mr. Sandip Chakraborty
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioners who are doctors in profession and shareholders of a nursing home are alleged to have ditched the informant who is also a shareholder. It is alleged that the petitioners are not paying the shareholder of the informant as well as the profession fees as agreed amongst them. From the records, we find that all the requisites documents have already been seized in the meantime.
3. Regard being had to the nature of allegation and the transaction involved, we do not find any justification for custodial interrogation of the petitioners who have some status in the society.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned CJM, Paschim Medinipore arising out of G.R. No.652 of 2021 in the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2629 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)