

07.08.2023
ML. 28
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2768 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhimpur** Police Station Case No. **102** of **2023** dated **01.04.2023** under Sections **384/ 386/ 406/ 417/ 420/ 120B/ 379/ 323/ 325/ 308/ 506/ 34** IPC.

And

In the matter of: **Kamal Krishna Moulick @ Kamal Maulick**
....petitioner.

Mr. Ankit Agarwaala
Ms. Roma Ray
Mr. Subir Debnath

...for the petitioner.

Mr. Tanmoy Kumar Ghosh, Ld. SGA,
Mr. Arindam Sen

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is stated to have filed earlier FIR against the present informant alleging that the present informant has failed to perform his specific part of the contract for sale. The present informant is stated to have filed the present FIR on the allegation that the petitioner is pressing hard to sell the land in his favour. So far as the scuffle is concerned, the present informant is opined to have sustained simple injury. So far as payment of Rs. 10 lakhs by the informant is concerned, the veracity of the same cannot be decided at this stage in view of the case and counter case between the parties over some property.
3. Investigation is stated to have progressed substantially.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of offence and substantial progress in investigation, it

is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the fact that:

- i) the petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
 - ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
 6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. The application being **CRM (A) 2768 of 2023** is disposed of.
 8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

