

CRM(A) 3069 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampur Police Station** Case No. **668 of 2023** dated **22.05.2023** under Sections **420/406/34** of the Indian Penal Code.

- A n d -

In the matter of : Parimal Ghosh & Anr.

.... Petitioners.

Ms. Shabana Hasin
Mr. Mobidur Hossain
Mr. Mohaimenul Mondal

... For the Petitioners.

Ms. Faria hossain
Ms. Mamata Jana

.....for the State

1. Heard learned counsel for both the parties.
2. The petitioners being the father and son are alleged to have duped many persons on the promise of providing them Government jobs. From the record of the C.D., we find an undertaking alleged to be signed by the petitioner No. 1 with a promise to pay back the money if job could not be provided to the aspirant within 6 months. So far as the petitioner No. 2 is concerned, though there is allegation to the effect that he was assisting his father in the entire transaction but there is no substantive material against him so far, except the fact that, he was

depositing the money or keeping the money with him.

3. Regard being had to the facts and submission, we are not inclined to release petitioner No. 1, Parimal Ghosh on anticipatory bail.
4. Accordingly, prayer for anticipatory bail of petitioner No. 1 is rejected.
5. So far as the petitioner no. 2 is concerned, regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, substantial progress in investigation, it is directed that the petitioner no. 2 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 conditions:
 - i) The petitioner no. 2 is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner No. 2 shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
6. Accordingly prayer for anticipatory bail of petitioner No. 2 is allowed.

7. The concerned IO is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)