

22.08.2023
ML. 299
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3102 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bowbazar** Police Station Case No. **127 of 2023** dated **05.07.2023** under Sections **120B/406/420** of the IPC.

And

In the matter of: **Manoj Kumar Shaw & Anr.**

....petitioners.

Mr. Niladri Sekhar Ghosh
Mr. Arup Nath Bhattacharya
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
Mr. Arya Bhattacharya
Ms. Ivey Bhattacharya

...for the petitioners.

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

...for the State.

1. Heard learned Counsel for both the parties.
2. It is fairly submitted at the Bar that the present transaction involves dispute between two partners and for the self-same transaction arbitration proceeding is pending between the two partners, i.e., the informant and the petitioners and some interim order is stated to have been passed in such arbitration proceeding.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, the nature of dispute, pendency of arbitration proceedings on the self-same and substantial progress in investigation, it is directed that each the petitioner shall be released on bail by the Arresting Officer in the event of their arrest 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 that:

- i) The petitioners are directed to appear before the

I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of F.F.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3102 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

