

12.09.2023
M/L 28
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3635 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Keshpur P. S. Case No.250 of 2023 dated 26.06.2023 under Sections 420/406/120B of the Indian Penal Code.

In the matter of : Sk. Aftar Hossain
@ Hosain and another
... Petitioners

Mr. Amit Ranjan Pati
... for the petitioners

Mr. Binay Pandal,
Ms. Puspita Saha
... for the State

1. Heard learned Counsel for the parties.
2. This is a dispute between the brothers-in-law over a vehicle. The informant is the husband of the sister of the present petitioners. It is alleged that the present petitioners have forcibly taken the vehicle of the informant and has kept it.
3. *Per contra*, it is submitted by learned counsel for the petitioners that the informant had availed loan to purchase the vehicle. He failed to repay the loan. The petitioners paid the loan amount on his behalf on a condition that the vehicle should be transferred to them.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is

directed that each of 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 condition:

- i) The petitioners are 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.
5. Accordingly, the prayer for the anticipatory bail is allowed.
 6. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
 7. The applications being CRM(A) 3635 of 2023 is disposed of.
 8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)