

13.09.2023
M/L 60
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3667 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Barasat P. S. Case No.501 of 2023 dated 08.07.2023 under Section 341/325/379/34 of the Indian Penal Code.

In the matter of : Sukanta Niyogi
@ Sukanta Neogi and another
... Petitioners

Md. Zohaib Rauf,
Mr. Rameez Alam
... for the petitioners

Md. Anwar Hossain,
Ms. Ratna Ghosh
... for the State

1. Heard learned counsel for the parties.
2. Considered the materials placed before us including the statement of the informant and the FIR. There is stated to be dispute regarding some repayment by the petitioner towards the loan availed from the informant.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence 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 conditions:

- i) The petitioner no.1 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 being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset.
- 4. Accordingly, the prayer for the anticipatory bail is allowed.
 - 5. 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.
 - 6. The applications being CRM(A) 3667 of 2023 is disposed of.
 - 7. 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.)