

08.09.2023
tkm/ct 28
spl no. 66

C.R.M. (A) 3860 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Memari P.S case no. 423 of 2023 dated 23.5.2023 under sections 420/406/504 IPC
And

Allowed

In Re : Prateek Chakraborty petitioner

Md. Sabir Ahmed
Mr. Dhiman Banerjee

..... for the petitioner

Mr. S Bapuli
Ms. S Santra
Mr. A Bhattacharya

..... for the State

Petitioner is an employee of M/s. Tata Motors Ltd. it is contended de facto complainant was a defaulter and the hypothecated vehicle was lawfully seized. He prays for bail.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered materials on record. De facto complainant was a defaulter. Arbitration award was passed. Thereafter the finance company took possession of the hypothecated vehicle.

Keeping in mind the aforesaid facts we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as

laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 3860 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)