

03.10.2023

SL. 49

Court No. 29

Suvayan

(Allowed)

**C.R.M. (A) 3980 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Karimpur** P.S. Case No. **109 of 2016** dated **03.06.2016** under Sections **406/409/418/420** IPC corresponding to G.R. Case No. **610 of 2016** pending before the learned ACJM, Tehatta.

And

In the matter of: **Debjit Chakraborty**

....petitioner.

Mr. Debasis Kar

...for the petitioner.

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner being a tour operator is alleged to have defrauded the informant of about of Rs. 14,000/-. It is alleged that the informant booked hotel, etc. in the place of his visit through the petitioner but reaching at the place of his visit he found that the hotel booked by the present petitioner is non-existent.
3. Though *prima facie* element of cheating is there, regard being had to the amount involved and especially regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Tehatta within 15 days from today in the G.R. case No. 610 of 2016 arising out of aforesaid P.S. case.
4. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The learned ACJM, Tehatta is directed to act upon the server

copy of this order, if required.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3980 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

