

12.10.2023
M/L 49
Ct. No.25
(Allowed)
(SKB)

CRM (A) 4138 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Habra P. S. Case No.820 of 2022 dated 01.09.2022 under Sections 420/406/506 of the Indian Penal Code (G.R. Case No.1574 of 2022).

In the matter of : Arindam Poddar

... Petitioner

Mr. Tapodip Gupta,
Mr. Suman Bhanja

... for the petitioner

Mr. Prasun Kr. Datta, ld. APP
Mr. Nirupam Dhali

... for the State

1. Heard learned counsel for the parties.
2. The petitioner is stated to be the distributor of the informant and it is alleged that the petitioner has not paid the price towards article supplied which amounts to Rs.2,47,824/-. It is further submitted by learned counsel for the State that a cheque was given to the petitioner for crediting that amount into the account of the informant but that cheque has been dishonoured in the meantime.
3. We find that this is a matter arising out of a business transaction.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the G.R. Case No.1574 of 2022 arising out of 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 is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
 6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
 7. The applications being CRM(A) 4138 of 2023 is disposed of.
 8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.
 9. Despite our order, the IO may call both the parties to the P.S. for ensuring payment by the petitioner, if he is willing and ready to make the payment to avoid the trial.
 10. Department is directed to hand over a copy of this order to Mr. Datta, learned APP for onwards transmission to the concerned IO.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)