

09.10.2023
Sl. No.12
[ALLOWED]
as

C. R. M. (A) 4451 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 256 of 2022 dated 21.04.2022 under Sections 420/506/325/34 of the Indian Penal Code.

In Re: ***Prakash Bag & Anr.***

... .. Petitioners

Mr. Amit Ranjan Pati,
Muhammad Jawwad,
Mr. Nilangshu Samanta.

... .. for the petitioners

Mrs. Anasuya Sinha,
Mr. Pinak Kr. Mitra.

... .. for the State

1. Petitioners submit are the partners of a finance company who had financed the purchase of a vehicle by de-facto complainant. De-facto complainant alleged vehicle was a second hand one and has approached the District Consumer Redressal Forum. Matter is pending consideration before the Forum. In order to exert pressure, criminal case has been registered. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioner has not co-operated with the investigation.
3. We have considered the materials on record. Petitioners are the partners of a finance company. Subject matter of dispute is sale of a second hand vehicle to the de-facto complainant. This is being adjudicated before the Consumer Forum.
4. Under such circumstances custodial interrogation of the petitioners for progress of investigation is not necessary but they require to co-operate with the investigation in accordance with law.

5. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and they shall appear before the court below and pray for regular bail within four weeks from date and on further condition that the petitioners shall meet the Investigating Officer once in a week until further orders.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)