

05.01.2023

Sl.5
Court No.29
(AD)
(Allowed)

C.R.M. (A) 6090 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nalhati** Police Station Case No.**467 of 2022** dated **11.12.2022** under Sections **420/468/120B** of the Indian Penal Code, 1860, corresponding to G.R. No.1943 of 2022.

And

In the matter of: **Ashis Kumar Pal**

....petitioner.

Mr. Tapas Kumar Ghosh
Mr. Tanmay Chowhury

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Manoranjan Mahata

...for the State.

Petitioner prays for anticipatory bail.

Apparently, the petitioner received pensionary benefits pursuant to a pension payment order being issued in his favour.

Apparently, the petitioner is a retired government employee.

There are proceedings pending with regard to the entitlement of the petitioner to receive pension.

The issue as to whether the petitioner is entitled to receive pension or not, is yet to be finally decided, apparently.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the

petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 6090 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)