

08.01.2024
Item No.38
Ct. No. 29
CHC
Allowed

C.R.M.(A) 26 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nandakumar** Police Station Case No. **582/2023** dated **22.12.2023** under Sections **448 / 341 / 323/ 354/ 379/ 506/ 509/34** of the Indian Penal Code.

And

In the matter of : Sumita Maity & anr.

..... petitioners

Mr. Abhinaba Mukherjee
....for the petitioners

Mr. Jaydeep Biswas
....for the State

Petitioners pray for anticipatory bail.

Apparently, there are disputes between the private parties. The private parties are co-sharers in respect of any immovable property. There is a previous proceeding under Section 144(2) of the Criminal Procedure Code initiated at the behest of the petitioners against the family members of the de facto complainant.

Possibility of false implication cannot be overlooked at this stage.

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

Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no.1, namely, Sumita Maity will cooperate with the investigation till the conclusion of the investigation and petitioner no.2, namely, Chittaranjan Samanta will report before the Investigating Officer once in a month till the conclusion of investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 26 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)