

11.01.2024
Item No.71
Ct. No. 29
CHC
Allowed

C.R.M.(A) 77 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bowbazar** Police Station Case No. **173** of **2023** dated **26.08.2023** under Sections **468/467/471/420/406/120B** of the Indian Penal Code, 1860.

And

In the matter of : Sunil Kumar Shaw

..... petitioner

Mr. Niladri Shekhar Ghosh,
Mr. Sourav Mondal,
Ms. Sreetama Biswas,
Ms. Shreyasee Basu
....for the petitioner

Mr. Bibaswan Bhattacharya
....for the State

Mr. Aromdam Jana,
Mr. Subhajit Chowdhury
....for the de facto complainant

Petitioner prays for anticipatory bail.

Petitioner, State and the de facto complainant are represented.

Apparently, there are civil disputes between the private parties in relation to a concern. It is the claim of the de facto complainant that, there is no partnership between the de facto complainant and the petitioner while the claim is to the contrary is by the petitioner.

There are proceedings under Section 9 of the Arbitration and Conciliation Act, 1996 initiated between the private parties.

In such circumstances, given the nature of the disputes between the private parties, 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 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 will report before the Investigating Officer once in a month till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 77 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)