

16.01.2024

Serial no. 01

Anticipatory Bail

[Allowed]

Dd

CRM (A) 92 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kotulpur** Police Station Case No. **353** of **2023** dated **14.12.2023** under Sections **420 & 506** of the Indian Penal Code, 1860.
(G.R. Case No. 1545 / 2023)*

-And-

In the matter of : **Bijoy Kumar Mondal & Anr.**

... .. **Petitioners**

Mr. Arindam Jana,

Mr. Suddhartha Sarkar,

Mr. Partha Pratim, Advocates

... ..For the petitioners

Petitioners pray for anticipatory bail on the basis of parity.

Learned advocate appearing for the petitioners submits that the petitioner no. 2 was enlarged on anticipatory bail by the order dated December 1, 2023 passed in CRM (A) 4525 of 2023 on the complaint lodged by another co-sharer.

None appears for the State.

Apparently, the disputes relate to title of immovable property. An element of civil dispute is involved.

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 petitioners shall report before the

Investigating Officer as and when called for till the conclusion of the 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 92 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)