

13.02.2024
Item No.13
Ct. No. 29
CHC
Allowed

C.R.M.(A) 418 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **2018** of **2023** dated **05.12.2023** under Sections **406** and **420** of the Indian Penal Code.

And

In the matter of : Nilu Barman

..... petitioner

Mr. Sanjib Seth,
Mr. Srikanta Dutta
....for the petitioner

Mr. Avishek Sinha
....for the State

Petitioner prays for anticipatory bail.

Petitioner before us is an Executive Engineer of an Article 12 authority. Such Article 12 authority floated a tender. De facto complainant is the contractor awarded the contract. It is in respect of such contract that present police complaint was lodged.

Considering the fact that, petitioner before us is an employee of an Article 12 authority and the materials in the Case Diary, 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) 418 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)