

07.03.2024

DL-10

Court No.29

(AD)

(Allowed)

C.R.M. (A) 797 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No.**743 of 2023** dated **08.09.2023** under Sections **436/34** of the Indian Penal Code, 1860.(G.R. Case No.2831 of 2023).

And

In the matter of: **Sudeb Modak & Ors.**

....petitioners.

Mr. Sabyasachi Bhattacharjee

Ms. Barnali Pal

...for the petitioners.

Mr. Saryati Datta

... for the State.

There is a civil dispute between the private parties.

There is a civil suit.

Materials in the case diary do not suggest that any eye-witness saw the petitioners being involved in the incident.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a week till the conclusion of the investigation and on 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.

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

C.R.M. (A) 797 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)