

15.04.2024
Item No.53
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1292 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dumdum** Police Station Case No. **41 of 2024** dated **02.02.2024** under Sections **420/406** of the Indian Penal Code, 1860 now pending before the Learned Additional Chief Judicial Magistrate at Barrackpore. (G.R. Case No.819 of 2024)

And

In Re : Adil Zia

..... petitioner

Mr. Dhananjay Banerjee
Md. Shamimuddin
Ms. Neha Rizvi

.....for the petitioner

Mr. Iqbal Kabir
Mr. Santanu Talukdar

....for the State

1. Petitioner contends dispute is civil in nature. Co-accused-Prasenjit Ganguly has been enlarged on anticipatory bail. He prays for anticipatory bail.
2. Learned lawyer for the State contends investigation is still in progress.
3. We have considered the materials on record. Dispute relates to non-installation of elevator in the office of the de facto complainant. Co-accused, Prasenjit Ganguly, has been granted anticipatory bail. Petitioner is entitled to similar relief.
4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 condition that he shall appear before jurisdictional Court and pray for regular bail within a period of four weeks from date and on further condition that he while on bail shall meet the Investigating Officer once a week until further orders.

5. The prayer for anticipatory bail of the petitioner is allowed.
6. **C.R.M. (A) No. 1292 of 2024** is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)