

10.06.2024
Court No.29
Item No. 8

Allowed

sg

CRM (A) 1843 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Lake Town Police Station Case No. 97 of 2024 dated 10.04.2024 under Sections 441/447/465/471/472/473/474/475/506/120B of the Indian Penal Code.

And

In Re: **Mira Bose**

Petitioner

Mr. Pinak Kumar Mitra
Ms. Subhanwita Ghosh

For the Petitioner

Miss. Amita Gour
Miss. Nahid Ahmed

For the State

1. The learned Counsel for the petitioner has submitted that the complaint is an outcome of a civil suit filed by the petitioner against the de-facto complainant company and others, in which, at present, an order of injunction is subsisting and it is a false complaint and a vexatious proceeding. The de-facto complainant alleged that the deed upon which the civil suit was instituted, is the forged document.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has produced the case diary and submitted that the civil suit is pending between the parties and the said civil suit was filed prior to the complaint lodged by the de-facto complainant.
3. The learned counsel for the petitioner has placed before us an order passed by the coordinate bench on 21st May, 2024 in respect of one Sanjay Puri with

whom the present petitioner has entered into an agreement for development. Sanjay Puri was granted anticipatory bail by the coordinate Bench on 21st May, 2024. It is also submitted that the charge-sheet has not yet been submitted.

4. In view of the aforesaid circumstances and having regard to the fact that the petitioner is nonagenarian, we are of the view that custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest the petitioner, namely, **Mira Bose**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure to the satisfaction of arresting officer. The petitioner shall cooperate with the investigation.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 1843 of 2024 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)