

02.07.2024
Court No.29
Item No. 9

Allowed

sg

CRM (A) 2003 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chatterjeehat Police Station Case No. 69 of 2019 dated 17.04.2019 under Sections 420/467/468/471/120B of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Howrah.

And

In Re: **Ranjit Mondal**

Petitioner

Mr. Krishan Ray
Mr. Debapratim Guha
Ms. Anchita Sarkar

For the Petitioner

Mr. Rudradipta Nandy
Ms. Nandini Chatterjee

For the State

Mr. Baidurya Ghosal
Ms. Aatreyee Dutta
Mr. Saikat Mukherjee

For the de-facto complainant

1. The learned Counsel for the petitioner submits that the petitioner is a guarantor of a loan granted in favour of one Chittaranjan Roy in the year 2015. It is further submitted that the petitioner is innocent, inasmuch as, the valuer and the advocate who verified the title deed have been enlarged on anticipatory bail by the learned District Judge, Howrah.
2. The learned Counsel for the State, in opposing the prayer for the anticipatory bail, has submitted that a principal accused and the guarantor were absconding for almost six years.

3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of alleged offence and having regard to the fact that two of the co-accused persons have been granted anticipatory bail, we of the view that custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Ranjit Mondal**, shall be released on bail upon furnishing a bond of Rs.20,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall meet the I.O. twice in a week and shall not leave the jurisdiction of Lake Police Station without the leave of the Investigating Officer till the submission of the final report. The petitioner shall appear before the learned Chief Judicial Magistrate, Howrah in connection with G.R. No. 2281 of 2019 within one week from date.
5. We are satisfied with the explanation offered by the present I.O. with regard to progress of trial. We must hasten to add that the earlier Investigating Officer/Officers who was/were entrusted to this matter, did not perform their duty diligently.
6. We have been informed that immediate steps shall be taken for proclamation and attachment of the properties of the principal accused.
7. This order shall be immediately communicated to the Commissioner of Police, Howrah Commissionerate.
8. The personal appearance of the I.O. is dispensed with.

9. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

10. CRM (A) 2003 of 2024 is, thus, disposed of.

11. The status report filed by the CID is taken on record.

12. 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.)