

08.07.2024
SI No. 33
Court No.29
TN
(Allowed)

CRM (A) 2215 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Jorabagan Police Station Case No.33 of 2023 dated 04.04.2023 under Sections 420/406/120B of the Indian Penal Code.

And

In the matter of: **Raj Kumar Kedia.**

- petitioner.

Mr. Sovan Bera,
Ms. Puja Beriwal

.... for the petitioner.

Mr. Kunal Ganguly

... for the State.

1. The learned counsel for the petitioner submits that a false complaint has been lodged against the petitioner over certain transactions and business dealings and he has been falsely implicated.
2. The learned counsel for the State submits that in spite of the notice under Section 41A, the petitioner did not cooperate with the investigation and there are incriminating materials against the petitioner. The learned counsel has referred to few documents to show that the petitioner as partner of the firm has acknowledged the liability of the firm but expressed his inability to pay due to procedure pending before the NCLT.
3. Considering the nature of dispute between the parties, the involvement of the petitioner in the commission of the alleged offence and having regard to the fact that the dispute *prima facie* appears to be civil in nature, we are of the view

that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Raj Kumar Kedia** 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, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer of the case once in a week or as and when required till submission of the final report.
5. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Metropolitan Magistrate, Calcutta within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)