

02.09.2024
SL No.12
Court No.29
(gc)

CRM (A) 2283 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tamluk Police Station Case No.388 of 2024 dated 01.05.2024 under Sections 420/406/34/468/471 of the Indian Penal Code.

And

In the matter of : **Nayana Saha & Anr.**

- Petitioners.

Mr. Shiven Ray,
Mr. Gourab Mukherjee,
....For the Petitioners.

Mr. Kunal Ganguly
... For the State.

Mr. Mayukh Mukherjee,
Sk. A. Islam
....For the De facto Complainant.

1. Leave is given to correct the cause title in course of the day.
2. The matter was earlier adjourned on the ground of Mr. Mayukh Mukherjee, learned Counsel appearing for the de facto complainant. On that date, after hearing the State and the petitioner, we extended the interim order.
3. We have heard Mr. Mayukh Mukherjee.
4. Considering the materials available in the case diary, the report filed by the Investigating Officer and the nature of dispute which appears to be commercial in nature, we are of the view that custodial interrogation of the petitioners is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Nayana Saha** and **Biswanath Saha**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 corresponding to Section 482(2) of the BNSS, 2023. It is directed that the petitioner no.1 shall cooperate with the investigation and the petitioner no.2 shall meet the I.O. once in a week till the submission of the final report.

6. It is further directed that the petitioners shall appear before the learned Sessions Judge, Purba Medinipur at Tamluk in connection with G.R. Case No.1505 of 2024 within two weeks from date.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)