

27.09.2024
Court No.29
Item No. 6

Allowed
sg

CRM (A) 3449 of 2024

In Re:- An application for anticipatory bail under Section 482 of the BNSS, in connection with Bankura Police Station Case No. 192 of 2024 dated 28.06.2024 under Sections 420/406/506 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Bankura.

And

In Re: **Manoranjon Nayak**

Petitioner

Mr. Anirban Mitra
Mr. Amajit De

For the Petitioner

Ms. Zareen Nasima Khan
Ms. Puja Goswami

For the State

1. The learned Counsel for the petitioner submits that the vehicle in question has already been seized by the Police. The petitioner is innocent. He has made substantial payments to one Motahar Hossain.
2. The learned Counsel for the State has submitted that the said vehicle has been given on hire to a third party and the case diary would reveal that he has not paid the consideration amount towards sale of the said vehicle to the original owner. The original owner is the defacto complainant.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of alleged offence and also having regard to the nature of dispute and that certain payments have been made to the original owner as it prima facie appears from the statements disclosed in the petition, which are of course yet to be verified, we are 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, **Manoranjon Nayak**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. once in a week till the submission of the final report and the petitioner shall appear before the jurisdictional court within ten days from date.
5. In the event the petitioner fails to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel his bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. 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.)