

**10.01.2024**

DL.4  
Court No.29  
(AD)  
(Allowed)

**C.R.M. (A) 4356 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No.**985 of 2023** dated **24.08.2023** under Sections **420/406/468/471/472/473/506/34** of the Indian Penal Code, 1860.[G.R. Case No.2939 of 2023].

And

In the matter of: **Gopal Chandra Maiti**

....petitioner.

Mr. Milon Mukherjee, Ld. Sr. Advocate

Mr. Kallol Kumar Basu

Mr. D. Dutta

Md. Jannat ul Firdous

Ms. Swata Saha

... for the petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated January 3, 2024.

There subsists an interim order dated October 16, 2023.

It is submitted at the bar that such order was passed by the Coordinate Bench without considering the materials in the case diary and in view of the ensuing puja vacation.

Learned Senior Advocate appearing for the petitioner submits that the police complaint revolves around a claim of Rs.12 lacs. He submits that in order to establish his bona fides and without prejudice, his client will deposit the sum of Rs.12 lacs with the learned Registrar General, High Court, Calcutta.

State is represented.

We perused the materials in the case diary.

The police complaint claims that, the petitioner took a sum of Rs.12 lacs on the promise of job.

Since the petitioner is willing to secure the amount of the

claim of the de facto complainant, we confirm the interim order dated October 16, 2023.

Petitioner will deposit the two pay orders being Nos.773901 and 773902 of Rs.6,00,000/- (Rupees Six Lacs Only) each drawn on Punjab National Bank, which are produced in Court, with the learned Registrar General, High Court, Calcutta forthwith.

Learned Registrar General is requested to encash the two pay orders and to open a fixed deposit of the aggregate amount of the two pay orders of any nationalized bank and keep such amount in a fixed deposit bearing interest.

Learned Registrar General will renew the fixed deposit from time to time until further orders from the Court.

The deposit made, will abide by the decision of the trial of the police case.

Petitioner will inform the jurisdictional Court of the deposit made and of this order so that the jurisdictional Court is in a position to pass appropriate orders with regard to the deposit.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the

presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

**C.R.M. (A) 4356 of 2023** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**