

11.01.2024
Item No.4
Ct. No. 29
CHC
Allowed

C.R.M.(A) 4386 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kalighat** Police Station Case No. **17/2022** dated **15.02.2022** under Sections **420/120B** of the Indian Penal Code.

And

In the matter of : Juthika Bhattacharjee

..... petitioner

Mr. Ramashis Mukherjee,
Mr. Rameshwar Sinha
....for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Arani Bhattacharyya
....for the State

Ms. Ankita Dey
....for the de facto complainant

Petition is taken up for consideration subsequent to the order dated January 3, 2024.

There subsist an order dated October 16, 2023 granting ad interim anticipatory bail by the coordinate Bench.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We noted the contention of the petitioner then that, a settlement was arrived at with the de facto complainant.

Today, de facto complainant is represented.

Learned advocate appearing for the de facto complainant submits that, disputes stand settled.

State is represented.

Apparently, there is an element of civil dispute involved.

In such circumstances, we confirm the interim order dated October 16, 2023.

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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that petitioner will cooperate with the investigation till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 4386 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)