

106 04.01.2024
(AD)
Court No.29
(Allowed)

C.R.M. (A) 4549 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jaynagar** P.S. Case No.**228 of 2023** dated **07/06/2023** under Sections **406/420/467/468/471/506/120B/34** of the Indian Penal Code, 1860 corresponding to G.R. Case No.3275 of 2023.

And

In the matter of: **Moutuli Das**

....petitioner.

Ms. Rituparna Sarkar Dutta

...for the petitioner.

Mr. Tanmoy Kumar Ghosh, Ld. Sr. Government Advocate
Ms. Sonali Bhar

...for the State.

Mr. Ranajoy Chatterjee
Mr. Tamal Singha Roy

... for the de facto complainant.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the petitioner was enlarged on interim anticipatory bail by the Coordinate Bench.

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

We perused the materials in the case diary.

We find that, co-accused Anupam Das was enlarged on anticipatory bail by the order dated August 29, 2023 passed in CRM (A) 3089 of 2023.

State and the de facto complainant are represented.

The criminal complaint revolves around registered documents.

The Coordinate Bench observed that the disputes are civil in nature.

Petitioner before us stands in the same footing as that of the other co-accused who was granted anticipatory bail.

Therefore, we extend the same facility to the petitioner.

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 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 cooperate with the investigation 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4549 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)