

09.01.2024

Item No.166(M.L.)

Ct.No.29

dc.

Allowed

C.R.M. (A) 4797 of 2023

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Baranagar Police Station Case No. 296 of 2022 dated 23.05.2022 under Sections 420 of the Indian Penal Code.

And

In Re : **Pinak Pani Bhattacharjee & Ors.**

... Petitioners.

Mr. Milon Mukherjee,
Ms. Jeenia Rudra

... For the Petitioners.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee

... For the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

By such order, an interim anticipatory bail was granted to the petitioner.

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

We perused the materials in the case diary.

Apparently, the complaint revolves around a partnership dispute.

The police complaint relates to incident of 2018.

Police filed charge-sheet.

In such circumstances, we confirm the interim order dated October 17, 2023.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, 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 and on condition that the petitioners 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 petitioners in court including cancelling the anticipatory bail granted without further reference to this Court.

The application for anticipatory bail is, thus, allowed.

CRM(A) 4797 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)