

**Allowed**

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Pragati Maidan Police Station Case No. 138 of 2023 dated 24.05.2023 under Sections 420/406/120B/506 of the Indian Penal Code.

In Re : **Abhimanyu Sarkar** ... Petitioner.

Ms. Subhasree Patel ... For the de facto complainant.

An element of civil dispute is involved.

Apparently, the petitioner did not pay for the goods.

In view of the materials in the case diary and in view of the fact that the police complaint revolves around commercial transaction, we confirm the interim order dated October 17, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner will report before the Investigating Officer once a week 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 application for anticipatory bail is, thus, allowed.

CRM(A) 4800 of 2023 is disposed of.

**(Debangsu Basak, J.)**

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