

10.01.2024
Item 207, 208.
Ct. No. 29
AB

C.R.M.(A) 4858 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Alipore** Police Station Case No. **133** of **2012** dated **26.04.2012** under Sections **466/467/468/471/420/120B** of the Indian Penal Code, 1860

And

In the matter of : **Roma Roy****Petitioner.**

With

C.R.M.(A) 4859 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Alipore** Police Station Case No. **133** of **2012** dated **26.04.2012** under Sections **466/467/468/471/420/120B** of the Indian Penal Code, 1860

And

In the matter of : **Himjhuri Roy****Petitioner.**

Ms. Sibangi Chattopadhyay,
Mr. Pradipta Thakurfor the Petitioner.

Mr. Madhusudan Sur, Id APP,
Mr. Monoranjan Mahatofor the State in
CRM (A) 4858 /23.

Mr. Saibal Bapuli, Id APP,
Mr. B. Bhattacharyafor the State in
CRM (A) 4859 /23.

Two applications for anticipatory bail are taken up for consideration analogously as they arise out of same police case.

There subsists interim order passed on 18.10.2023 in both the petitions.

Learned Advocate appearing for the State submits that the petitioner in CRM (A) No.4859 of 2023 is not named in the charge sheet filed in 2023.

In such circumstances, CRM (A) No.4859 of 2023 is disposed as infructuous.

So far as the petitioner in CRM (A) No.4858 of 2023 is concerned, we find that the charge sheet was submitted in 2023 after an initial charge sheet submitted stating that the disputes were civil in nature.

In such circumstances, we confirm the interim order dated October 18, 2023 so far as the petitioner in CRM (A) No.4858 of 2023 is concerned.

Accordingly, we direct that in the event of arrest the petitioner, namely, Roma Roy 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 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) 4858 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)