

13.02.2024
DL-104
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4939 of 2023
With
IA No.: CRAN 1 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shibpur** Police Station Case No.**37 of 2023** dated **23.01.2023** under Sections **420/406** of the Indian Penal Code, 1860 .(G.R. Case No.329 of 2023).

And

In the matter of: **Vijay Ajariwal**

....petitioner.

Mr. Sumanta Chakraborty
Ms. Shreya Trivedi

...for the petitioner.

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

... for the State.

Mr. Bivash Banerjee
Mr. Rohit Prasad

... for the de facto complainant.

Petitioner deposited the sum of Rs.50,000/- in terms of the order dated January 11, 2024 with the Registrar General.

Learned Advocate appearing for the de facto complainant submits that the petitioner did not pay a sum of Rs.1,50,000/- as claimed by the petitioner.

Issues with regard to such claims may be considered at the trial.

In such circumstances, we grant anticipatory bail to the petitioner.

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 report before the Investigating Officer once a month 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4939 of 2023 and IA No.: CRAN 1 of 2024 are, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)