

02.02.2024
Item No.40
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5373 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pragati Maidan** Police Station Case No. **197** of **2023** dated **02.08.2023** under Sections **120B/420/188/506** of the Indian Penal Code, 1860.

And

In the matter of : Ivana Mousina @ Evana Mousina & anr.
..... petitioners

Mr. Jayanta Narayan Chatterjee,
Mr. Nazir Ahmed,
Ms. Ritushree Banerjee,
Mr. Soumyajit Chakraborty
....for the petitioners

Mr. Pravas Bhattacharya,
Mr. Goutam Wilson
....for the State

Petitioners pray for anticipatory bail.

Apparently, criminal complaint revolves around disputes relating to an immovable property. There is a Title Suit pending between the private parties. Co-accused was enlarged on anticipatory bail by the order dated October 25, 2023 passed in CRM(A) 4988 of 2023 by a coordinate Bench.

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

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 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 no.1, namely, Ivana Mousina @ Evana Mousina will cooperate with the investigation and petitioner no.2, namely, Sabir Uddin will report before the Investigating Officer once in a month till the conclusion of investigation 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5373 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)