

19.02.2024

Serial no. 85

Anticipatory Bail

[Partly Allowed]

Dd

CRM (A) 5617 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hirapur** Police Station FIR No. **299** of **2023** dated **August 21, 2023** under Sections **406/409/420/468/469/471/323/120B/506/34** of the Indian Penal Code, 1860.

-And-

In the matter of : **Jitendra Singh & Ors.**

... .. **Petitioners**

Mr. Manjit Singh,
Mr. Shakeel Mohammed Akhter,
Mr. Prasenjit De,
Mr. Biswajit Mal,
Mr. Abhishek Bagal, Advocate
... .. For the Petitioners

Ms. Aura Mukherjee,
Ms. Sujata Das, Advocates
... ..For the State

Mr. Baidurya Ghosal,
Ms. Aatreyee Dutta,
Mr. Saikat Mukherjee,
Mr. Sourav Mukherjee,
Mr. P. Sinha Roy, Advocates
... ..For the de facto complainant

On the prayer made on behalf of the petitioners, CRM (A) 5617 of 2023 is dismissed as withdrawn as the petitioner no. 4 is a limited liability company.

Apparently, the police complaint revolves around a commercial contract entered into between the private parties. Element of civil disputes are involved.

In such circumstances, we grant anticipatory bail to petitioner no. 1 (Jitendra Singh); petitioner no. 2 (Ram Kumar); petitioner no. 3 (Dinesh Kumar Singh) and petitioner no. 5 (Rajeev Kumar @ Rajib Kumar).

Accordingly, we direct that in the event of arrest the petitioner no. 1 (Jitendra Singh); petitioner no. 2 (Ram Kumar); petitioner no. 3 (Dinesh Kumar Singh) and petitioner no. 5 (Rajeev Kumar @ Rajib Kumar) 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 (Jitendra Singh); petitioner no. 2 (Ram Kumar); petitioner no. 3 (Dinesh Kumar Singh) and petitioner no. 5 (Rajeev Kumar @ Rajib Kumar) shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the such 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 such petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court. Prayer for anticipatory bail of the petitioner no. 1 (Jitendra Singh); petitioner no. 2 (Ram Kumar); petitioner no. 3 (Dinesh Kumar Singh) and petitioner no. 5 (Rajeev Kumar @ Rajib Kumar) is **allowed**.

CRM (A) 5617 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)