

10.01.2024
Item No.27
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5737 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **864** of **2023** dated **05.11.2023** under Sections **120B/420/323/325** of the Indian Penal Code, 1860.

And

In the matter of : Ashalata Biswas & ors.

..... petitioners

Mr. Santanu Kumar Sen
....for the petitioners

Mr. Antarikhya Basu
....for the State

Mr. Asraf Mandal
....for the de facto complainant

Petitioners pray for anticipatory bail.

State and the de facto complainant are represented.

Apparently, the entire death benefits were given to the petitioners as they apparently succeeded to the estate of such deceased employee. The police complaint apparently involves civil disputes.

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, Ashalata Biswas, petitioner no.3, namely, Rupali Biswas and petitioner no.4, namely, Sova Biswas will cooperate with the investigation till the conclusion of the investigation and petitioner no.2, namely, Santosh Biswas and petitioner no.5, namely, Bhusan Biswas will report before the Investigating Officer as and when called for by the Investigating Officer and on further 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) 5737 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)