

17.02.2025

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Allowed

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C.R.M. (A) No. 508 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Posta Police Station Case No. 85 of 2023 dated 11.07.2023 under Sections 420/120B of the Indian Penal Code.

And

In Re : Sk. Aktadul Rahaman & Anr. petitioners

Mr. Soumyajit Das Mahapatra

Ms. Madhurai Sinha

.....for the petitioners

Mr. Saryati Dutta

Mr. Debarshi Brahma

....for the State

1. Learned Counsel for the petitioner no. 1's firm has a continuing business transaction with the *de facto* complainant. They had repaid the outstanding dues. Accordingly, they pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Dispute arose out of a continuing business transaction. Whether the petitioners had dishonest intention from the inception of the transaction is not demonstrated before us. On the other hand, petitioners contend they had liquidated the outstanding dues. In view of the aforesaid facts we are of the

opinion custodial interrogation is not necessary but petitioner no. 1 shall co-operate with investigation.

4. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that they shall meet the investigating officer once in a week until further orders. They shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)