

03.03.2025

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Allowed

C.R.M. (A) No. 723 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with English Bazar Police Station Case No. 1349 of 2024 dated 23.09.2024 under Sections 307/323/34/406/420/506 of the Indian Penal Code.

And

In Re : Abdul Aziz Ali Hisham & Anr. petitioners

Mr. Subir Banerjee
Mr. Sandip Bandyopadhyay
Ms. Rukmini Basu Roy

..... for the petitioners

Mr. Soumik Ganguly
Mr. Debarshi Brahma

.....for the State

Mrs. Suman Biswas

..... for the de facto complainant

1. Learned advocate for the petitioners submits allegations at its height disclose breach of contractual obligations. They pray for anticipatory bail.

2. Learned advocates for the State and *de facto* complainant oppose the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioners had agreed to sell the land to the *de facto* complainant. He received the initial deposit. Subsequently he refused to sell. Allegations at its height disclose breach of contractual obligations. Allegation of assault is not supported by medical evidence. Under such circumstances, we are

inclined to grant anticipatory bail to the petitioners subject to condition.

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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that petitioners 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)