

13.10.2023
D/L 32
Ct. No.25
(Allowed)
(SKB)

CRM (A) 4191 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Jiaganj P. S. Case FIR No.204 of 2023 dated 01.09.2023 under Sections 409/420 of the Indian Penal Code (G.R. No.2905 of 2023).

In the matter of : Indranil Saha

... Petitioner

Mr. Utpal Majumdar,
Ms. Ananya Das,
Ms. Anyapurba Banerjee

... for the petitioner

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty

... for the State

Mr. Amitava Chowdhury,
Mr. Sujay Sarkar

... for the defacto complainant

1. Heard learned counsel for the parties.
2. From the submission advanced by learned counsel for the parties, we are clear of the fact that the entire transaction is document based and the amount involved is Rs.2,02000/-.
3. In view of such fact, we do not find justification of custodial interrogation of the petitioner. The petitioner is, however, directed to co-operate with the investigation and submit all the documents in original which have been filed along with this petition for a just and fair investigation. If any other document as required by the IO is in the possession of the petitioner should be handed over to the IO.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in G.R. No.2905 of 2023 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition:

i) The petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of Final Form.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.

7. The applications being CRM(A) 4191 of 2023 is disposed of.

8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)