

59 27.03.2019
AB Court 28

C.R.M. 3385 of 2019

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mal P.S. Case No.542 of 2013 dated 23.8.2013 under Sections 405 406/409 of the Indian Penal Code

And

In the matter of : Raj Kumar Kanoi & Others

...Petitioners.

Mr. S. P. Tewari,
Mr. Arijit Tewari ...for the Petitioners.

Mr. Saibal Bapuli,
Mr. B. Bhattacharya ...for the State.

Mr. S. C. Prasad ...for the Resp. No.2.

It is submitted on behalf of the petitioners that subsequent to the registration of the first information report (employees' share) of provident fund dues has been paid.

Under such circumstances and keeping in mind the nature of allegations, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties of like amount to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition

that they shall appear before the court below and pray for regular bail within a fortnight from date.

The application for anticipatory bail is, accordingly, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)