

22.07.2026

Item No.660

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (A) 4233 of 2025

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bidhannagar (East) Police Station Case No. 78 of 2025 dated 19.10.2025 under Sections 238(c)/308(6)/324(2)/329(4)/338/351(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Smt. Gita Rani Jana alias Gitarani Jana**

... Petitioner.

Mr. Moyukh Mukherjee,
Mr. Bhaskar Mondal

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. Krishnendu Bhattacharya, Ld. APP,
Mr. Pritam Roy

... For the State.

Mr. Pratip Kumar Chatterjee,
Mr. Sabir Ahmed,
Mr. Amit Dey,
Mr. Arijit Dey,
Ms. Maitrayee Chatterjee

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that petitioner has been beneficiary of a Will by the father of the complainant over which she has claimed title before the civil court.

Learned Public Prosecutor appearing for the State, on the other hand, opposes the prayer for anticipatory bail and produces the case diary which reflects that petitioner was an attendant and allegedly she obtained a Leave and Licence Agreement of the same premises and subsequently she claims to be owner of the property by virtue of a Will. The

said Will is the foundation of the case which has been claimed to be forged.

The Leave and Licence Agreement also has been questioned by the complainant. Responding to the same, learned advocate for the petitioner raises issues relating to the relationship between the father and the son; bare pendency of a civil case is not a ground for a criminal case to proceed. The case is pending for a considerable period of time. Learned advocate for the petitioner insists that the original Will is before the civil court which has been denied by the State. The subject-matter of the Will is definitely a cause of investigation.

Learned advocate appearing for the *de facto* complainant has opposed the contention of the petitioner and has insisted that documentary evidences have been forged to establish title over the property which belongs to the father of the complainant.

Having considered the merits of the case including the materials which have been already collected by the investigating agency, I am of the opinion that this is not a fit case for granting anticipatory bail to the present petitioner. As such, the prayer for anticipatory bail of the petitioner is **rejected**.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for anticipatory bail, being CRM (A) 4233 of 2025, is, thus, dismissed.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)