

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11457 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioners-A2 and A3 for the offences alleged under Sections 420, 468 and 427 IPC.

2. Heard learned counsel for the petitioners-A2 and A3, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners-A2 and A3 would submit that the petitioners-A2 and A3 are innocent persons and they are falsely implicated in this case. The petitioners-A2 and A3 have not fabricated any documents as contended by the de facto complainant and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioners-A2 and A3

5. As per the material on record, the petitioners-A2 and A3 fabricated and forged the documents in order to knock away the property belonging to the de facto complainant in respect of a house and open land. Thereafter, in the absence of the de facto complainant on 16.08.2017 evening at 19.00 hours, the petitioners-A2 and A3 removed the house hold articles of the de facto complainant and occupied the house along with other accused. The de facto complainant has also contended that the petitioners-A2 and A3 and other accused by forging her signatures, deprived her house and property. The allegations are grave. The matter requires thorough

investigation. The release of the petitioners-A2 and A3 would hinder investigation and also there is possibility of the petitioners-A2 and A3 causing disappearance of the evidence.

6. Under these circumstances, it is not a fit case to grant bail to the petitioners-A2 and A3 under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed.

DR.SHAMEEM AKTHER, J

DATED: 29-11-2017

Hsd

