

**C.R.M. 10 of 2019**

Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973.

**In re : Subhomay Paul..... Petitioner**

Mr. Anirban Banerjee  
Mr. Debasish Mukhopadhyay.....for the petitioner

Mr. Saikat Chatterjee  
Ms. Namrata Das.... ... for the State

The petitioner apprehends arrest in course of investigation of New Jalpaiguri Police Station F.I.R. No. 22 of 2019 dated 10.01.2019 under sections 406/420/465/468/471/34 of the Indian Penal Code. As such, the petitioner has presented this application for a direction that in the event of such arrest, he may be released on bail.

It appears from the written complaint that the petitioner acted as a broker in respect of a transaction relating to sale of a property between one Md. Noor Ali and the complainant. Md. Noor Ali pretended to be the owner of the property although he was not so and that the deal progressed on the basis of certain deeds allegedly manufactured by Md. Noor Ali with the active assistance of the petitioner.

Mr. Chatterjee, learned advocate for the State is fair in his submission that Md. Noor Ali has been granted bail.

In that view of the matter, we are of the considered opinion that custodial interrogation of the petitioner is not

necessary for effective and meaningful progress of investigation of the said F.I.R. and it is a fit and proper case for making a direction, as prayed for.

Accordingly, it is directed that in the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of like amount, to the satisfaction of the arresting officer and also subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure, 1973 with further condition that the petitioner shall meet the investigating officer once in a week.

C.R.M. 10 of 2019 is, thus, allowed.

**(SHIVAKANT PRASAD, J.)**

**(DIPANKAR DATTA, J.)**