

44 27.11.2020
rkd Ct. No.03
(Allowed)

C.R.M. 7821 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Siliguri** P.S. Case No. **41 of 2020** dated **21/01/2020** under Section **406/420/465/467/468/471/120B** of the Indian Penal Code.

And

In the matter of: Rakesh Sahani

....petitioner.

Mr. S. Guha

...for the petitioner.

Mr. A. Biswas,

Mr. A. S. Chakraborty

...for the State.

It is submitted on behalf of the petitioner that the instant case relates to purchase of immovable property.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that the deed in question is a forged instrument.

We have considered the materials on record. Deed in question is a registered instrument and is accessible to the investigating agency without subjecting the petitioner to custodial interrogation. In view of the aforesaid fact, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)