

25.11.2020

p.b.
Ct. No.16

CRM 7974 of 2020

(via video conference)

In re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No.356 of 2020 dated 24.07.2020 under Sections 419/420/467/468/120B/34 of the Indian Penal Code.

In re: Swapan Das.

.....Petitioner

Mr. Sabir Ahmed.

.....for the petitioner.

Mr. Ranadip Roy Chowdhury.

.....for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that since the alleged forged document has been seized by the investigating agency, there is no further need for the petitioner's detention.

The State says that the petitioner forged the deed by showing transfer by a person who died for more than 40 years ago and by even relying on a forged voter identity card. The State says that the immediate release

of this petitioner may encourage him to indulge in further illegal land transactions.

However, since the charge-sheet has been filed, the further detention of the petitioner may not be necessary. At the end of the day, it is only upon the petitioner being convicted that he is liable to suffer incarceration, now that the investigation has been completed.

The petitioner will be enlarged on bail upon furnishing a bond of Rs.2,00,000/- (Rupees two lakh) with five sureties of Rs.40,000/- (Rupees forty thousand) each, one of whom must be local, to the satisfaction of the appropriate court in Nadia. The petitioner will be obliged to obtain prior permission from the trial court in the event the petitioner intends to be involved in any further land transaction whether directly or indirectly till the trial is completed. The petitioner will not leave the State without the previous permission of the trial court or change his residence without informing both the trial court and the Officer-in-Charge of the Police Station within which jurisdiction he now resides.

CRM 7974 of 2020 is disposed of.

(Aniruddha Roy, J.)

(Sanjib Banerjee, J.)