

19.011.2020

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AGM
Ct. No.16

Allowed

CRM 8689 of 2020

(Via Video Conference)

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hogalberia P.S. Case No. 135/2020 dated 26.09.2020 under Sections 420/406/307/323/506 of the Indian Penal Code.

And

In the matter of : **Madhu Sudan Biswas**

..... Petitioner

Mr. Asraf Mandal,

.... for the Petitioner

Ms. Sukanya Bhattacharya,
Mr. Md. Kutubuddin,

...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 the petitioner sold a parcel of land to the defacto complainant and the defacto complainant, after enjoying the land for some time, lodged a complaint that a part of the land sold was revenue land and may not have been owned by the petitioner.

The complaint cries out as a civil matter for a declaratory title suit to be instituted.

Considering the nature of the complaint, there may not be any need to take the petitioner into custody as long as the petitioner cooperates with the investigation and reports to the Investigating Officer as and when called, till the investigation is over.

In the event of arrest, the petitioner be enlarged on bail on furnishing security of Rs.10,000/- (rupees ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer.

The petitioner should abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

CRM 8689 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)