

20.11.2020
tkm/ct 3
sl no. 36

**C.R.M. 9038 of 2020
(via video conference)**

In Re : An application for bail under section 438 of the Code of Criminal Procedure filed on 5.3.2020 in connection with Asansol P.S case no. 176 of 2020 dated 22.7.2020 under sections 465/467/468/420/120B/34 of the IPC

And

Allowed

In Re : Renuka Prasad & Ors. petitioners

Mr. S De Dhara

..... for the petitioners

Mr. Sudip Ghosh

Mr. B Banerjee

..... for the State

Mr. Sujeet Kr. Maurya

..... for the de facto complainant

It is submitted on behalf of the petitioners that there is a family dispute and no offence of forgery is disclosed in the facts of the case.

Learned lawyer for the State opposes the prayer for bail and submits behind the back of co-sharers, the property had been conveyed by the petitioners to their wives.

Learned lawyer for the de facto complainant also opposes the prayer for bail and submits that co-sharers were not aware of the transaction in question.

We have considered the materials on record. Prima facie records do not show that signatures of the co-sharers had been forged.

In view of the aforesaid facts and bearing in mind the attending circumstances which relate to transaction and/or transfer of property amongst family members, we are of the opinion

custodial interrogation of the petitioners for progress of investigation may not be necessary though petitioners require to co-operate with investigation in accordance with law.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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 and on further condition that the petitioner no. 4, 5 and 6 while on bail shall meet investigating officer once in a week until further orders.

The application being CRM 9038 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)