

10.12.2020
Court No.28
SL No.86
AP

**CRM 10186 of 2020
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burdwan** P.S. Case No.**696 of 2019** dated **03.09.2019** under Sections **420/467/468/471/34** of the Indian Penal Code.

And

In the matter of: **Debendra Nath Roy & Anr.**

....Petitioners.

Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Maji

...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta

...for the State.

It is submitted on behalf of the petitioners that the sale transaction occurred in 2014 and after a lapse of six years the instant case has been registered.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the property had been mortgaged to bank earlier.

We have considered the materials on record. Whether there was initial deception or not in the course of sale transaction may be assessed at the appropriate stage of the proceedings. There is delay in lodging first information report. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also 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, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)