

07.01.2020
tkm/ct 28
sl no. 12

C.R.M. 12176 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 19.12.2019 in connection with Pradhannagar P.S case no. 174 of 2016 dated 13.5.2016 under sections 420/413/465/467/468/471/120B of the IPC

And

Allowed

In Re : Lalit Sharma

..... petitioner

Mr. S Chatterjee

Mr. S Nag

..... for the petitioner

Mr. Sur

Mr. D Paramanick

..... for the State

It is submitted on behalf of the petitioner that the de facto complainant is in possession of the property in question and the alleged forged power of attorney is in the control and custody of the investigating agency.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner conveyed the property on the strength of a forged power of attorney.

Having considered materials on record and bearing in mind the nature of allegations in the light of the aforesaid submissions made on behalf of the petitioner particularly the fact that the forged power of attorney is in the control and custody of the investigating agency and investigation is complete, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that 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 subject to the

conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 12176 of 2019 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)