

10.06.2021
AJ.,ct 28
Sl no. 08.

C.R.M. 1378 of 2021

(Via Video Conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 03.02.2021 in connection with Chinsurah P.S. Case No. 423 of 2020 dated 17.12.2020 under Sections 4D of the W.B.L.R. Act, 1955 (G.R. No. 891 of 2019).

And

Allowed

In Re : **Dr. Narayan Krishna Basu.** petitioner.

Mr. Prasanta Kumar Pakrashi. for the petitioner.

Mr. Swapan Kumar Banerjee,
Ms. Purnima Ghosh. for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with Chinsurah P.S. Case No. 423 of 2020 dated 17.12.2020 under Sections 4D of the W.B.L.R. Act, 1955.

It is submitted by the Counsel for the petitioner that the matter relates to a property dispute and wrongful conversion of waterbody into a 'bastu' land.

This Court has perused the case diary and the report of the land authorities.

Indeed there is a prima facie case against the petitioner.

Having considered the nature of dispute, this Court is of the opinion that the petitioner has been able to make out a case under Section 438 of the Code of Criminal Procedure on strict conditions.

Accordingly, in the event of arrest the petitioner shall be released on bail subject to satisfaction of conditions under Section 438(2) of Code of Criminal Procedure, 1973 and upon furnishing a bond 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 Investigating Officer until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not enter the jurisdiction of the concerned Police Station except for the purpose of investigation and shall provide the address where he

shall reside while on bail to the Investigating Officer and shall report to the Officer-in-Charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders. The petitioner shall surrender his passport to the Investigating Officer and if he does not possess a passport, shall submit an affidavit to that effect before the Investigating Officer and with a further condition that the petitioner shall not in any way visit or be seen in the vicinity of the property in question.

In event of violation or breach of any of the conditions, this order shall be treated to be cancelled without further reference to this court.

Under those circumstances, the application for anticipatory bail being CRM 1378 of 2021 is, thus, allowed.

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

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)