

04.01.2021
S.D.
10.

CRM 11142 of 2020

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of: **Uttam Debnath @ Uttam Chandra Debnath**
....Petitioner.

Mr. K. Chowdhury ...for the Petitioner.

The petitioner has sought for release in this application on bail on any condition.

It is submitted on behalf of the petitioner that he is in custody for the last 84 days. The allegation against the petitioner is that he has purchased the land of a dead man showing him as live by setting up a person, namely Subodh Sil as the vendor before the Registrar for registration of the deed of kobala in his favour in respect of a land which belonged to the dead person, namely Rajbihari Barman who died on 4.6.1985 as per the Death Certificate kept in the Case Diary. The FIR was lodged by the grandson of the said deceased Rajbihari Barman. It is further submitted on behalf of the petitioner that the deed has been executed and registered through Subodh Sil because he represented himself to be Rajbihari Barman. So if that be so, the Investigating Officer will see to it, under what circumstances, the deed of sale was got executed and registered after cross-checking with signature of Subodh Sil with that appearing in the deed of sale.

Having regard to the nature of the offences, the prayer for bail is refused at this stage.

CRM 11142 of 2020 is disposed of.

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Shivakant Prasad, J.)