

C.R.M. 11177 of 2020

Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Labpur Police Station Case No. 116/2020 dated 08.09.2020 under section 420/468/469/471 of the Indian Penal Code.

**In re : Sk. Bodiujjman @ Sk. Badiuzzaman
... Petitioner.**

Mr. Sujoy Sarkar ... for Petitioner.

Mr. Rudradipta Nandy ... for the State.

The present application under Section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Sk. Bodiujjman @ Sk. Badiuzzaman is taken up for hearing and order.

It is submitted on behalf of the petitioner that he is the husband of the principal accused and has been falsely implicated in this case. The property in question was gifted to the principal accused by her grand parents and the genuineness of the said deed has been challenged by the de facto complainant who alleges that the deed is forged.

The State refers to the case diary and opposes the prayer for anticipatory bail. The State also submits that investigation is complete and charge sheet has been submitted.

It appears that the dispute between the parties relates to a land in question and a deed which is alleged to be forged. The dispute is civil in nature. The investigation has culminated in submission of charge sheet. The petitioner is the husband of the

principal accused.

Considering the nature of allegation against the petitioner, we are inclined to hold that the petitioner should be granted anticipatory bail.

Accordingly, we direct that in event of arrest the petitioner shall be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand) only with two sureties of like amount 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, accordingly, allowed.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)