

SL. 19
March 24, 2021
AKG

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

C.R.M. 376 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on March 17, 2021 in connection with Bhaktinagar Police Station Case No. 1084 of 2020 dated December 21, 2020 under sections 420/468/471/120B of the Indian Penal Code.

And

Allowed

In Re : Jhuma Saha

... petitioner.

Mr. Kallol Majumdar,
Mr. Sudip Guha

... for the petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das.

... for the State.

Learned counsel for the petitioner submits that the petitioner is an alleged beneficiary of a sale transacted on the basis of power of attorney by her husband. It is further submitted that two other co-accused who stand on the same footing have already been granted anticipatory bail. Learned counsel for the *de facto* complainant objects to the application and submits that in view of being the principal accused, the petitioner ought not be let off at this stage.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the victim is an old lady and she was cheated of her life savings.

Be that as it may, since the petitioner is only a beneficiary of the alleged forgery and the other co-accused persons standing on

the same footing have been granted anticipatory bail, we feel it proper to grant the benefit of anticipatory bail to the petitioner.

Accordingly, CRM 376 of 2021 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner adheres to the restriction stipulated under Section 438 (2) of the Code of Criminal Procedure.

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, one of whom must be local, to the satisfaction of the arresting officer and on further condition that the petitioner shall appear before the Investigating Officer once in a fortnight till the charge sheet is filed.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)