

28.01.2022

Serial no. 31

Dd

(Through Video Conference)

CRM(A) 376 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **New Market** Police Station Case No. **71** of **2020** dated **28.02.2020** under Sections **467/468/471/420/511/120B** of the Indian Penal Code and corresponding to G.R. (S) No. **281 of 2020** (previously registered as Hare Street Police Station Case No. 16 of 2020 dated 14.01.2020 under Sections 467/ 468/ 471/ 420/ 511/120B of the Indian Penal Code and G.R. NO. (S) 81/2020)

-And-

In the matter of : **Bhola Nath Goswami @ Bholanath Goswami**
... **Petitioner**

Mr. Pinak Kumar Mitra,
Mr. Sagnik Bose,
Mr. Kaustabh Banerjee,
Mr. Ariba Shahab, Advocate
... ... For the Petitioner

Mr. Swapan Banerjee,
Ms. Purnima Ghosh, Advocates
... ...For the State

Ms. Shrestha Bhattacherjee,
Ms. Pallavi Pain, advocates
...For the de facto complainant

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that there is a property dispute of one Biswajit Seal and the de facto complainant. The petitioner was falsely implicated. He submits that the Biswajit Seal was granted anticipatory bail by the co-ordinate bail.

Learned advocate appearing for the State submits that the petitioner is involved with Biswajit Seal in the incident.

Learned advocate appearing for the de facto complainant submits that the petitioner along with Biswajit Seal fabricated documents.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that Biswajit Seal was granted anticipatory bail by a coordinate Bench, 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner shall meet the Investigating Officer once in a month till completion of investigation.

Prayer for anticipatory bail is **allowed**.

CRM(A) 376 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)