

(Through Video Conference)

CRM (A) 409 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 25.01.2022 in connection with Golf Green Police Station Case No. 153 of 2021 dated 24.08.2021 under Sections 420/406/468/471/467 of the Indian Penal Code.

-And-

In the matter of : **Taj Mohammad**

... ..Petitioner

Mr. Manjit Singh, Advocate
Mr. Gaganjyot Singh, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee, Advocate
Ms. Purnima Ghosh, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that subsequent to the divorce, the wife is now claiming ownership in respect of a flat. He submits that there is a registered deed of conveyance in favour of the petitioner. Moreover, there is a civil suit pending.

Learned Advocate appearing for the State submits that the incident occurred prior to the divorce.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is a title suit pending and that the de facto complainant is the divorced wife of the petitioner, 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 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 will report before the Investigating Officer as and when called for till the conclusion of the investigation and on further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 409 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)