

04.07.2022
Serial no.57
Aloke

CRM 3097 of 2021

In re: An application under Section 439(2) of the Code of Criminal Procedure.

In the matter of : **Biman Bhattacharya**

... .. Petitioner

Mr. Subhasish Roy, Advocate
Mr. Arnab Chatterjee, Advocate

... .. For the Petitioner

Mr. Nguive Ahmed, Id. APP
Ms. Amit Gaur, Advocate
Ms. Trina Mitra, Advocate

... ...For the State

Mr. Devajyoti Barman, Advocate
Ms. Sanjukta Basu Mallick, Advocate

... .. For the opposite party no. 2

Petitioner prays for cancellation of anticipatory bail.

Learned Sessions Judge passed the order dated February 8, 2021 granting anticipatory bail to the private opposite party inter alia on the condition that there are civil disputes between the private parties, there is no allegation of mis-appropriation of any amount and that there was progress in the investigation.

Learned Advocate appearing for the petitioner submits that the private opposite party obtained a property by forging a document and by impersonation of a deceased person to create a forged title deed. They claim it to be registered on a date when the registration office was closed due to public holiday.

State and the private opposite party are represented.

The disputes between the private parties are essentially civil in nature. The disputes relates to an immoveable property. There claims and counter claims with regard to title to the immoveable property concerned. The complaint relates to forgery

of document. In such circumstances, the custodial interrogation of the private opposite parties are not required.

We find no material irregularity in the order of granting anticipatory bail granted by the learned Sessions Judge.

CRM 3097 of 2021 is, therefore, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)