

14.06.2022
cm/ct 28
sl no. 134

C.R.M. (A) No. 2718 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with **Palashipara P.S Case No. 184 of 2022** dated **24.05.2022** under Sections **406/420/465/325/34** of the Indian Penal Code.

And

Allowed

In Re : Asanur Rahaman Sk @ Panna & Ors.

..... petitioners

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

... for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.
Mr. Soumik Ganguly

..... for the State

Petitioners submit that they along with their mother had sold the property through a registered instrument. The sale price was distributed amongst themselves. Subsequently the present case has been lodged at the behest of another brother.

Learned counsel appearing for the State opposes the prayer for bail and submits investigation is in progress.

We have considered the materials on record. Sale transaction was through a registered instrument which carries presumption of genuineness. The registered instrument has already been seized.

In view of the aforesaid facts, we are of the opinion custodial interrogation of the petitioners are not necessary but they require to cooperate with investigation in accordance with law.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, 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 and on condition petitioners shall meet the investigation once in a week until further orders.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) No. 2718 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)