

29.03.2022
Sl. 79
Court No.29
sourav
(Rejected)

C.R.M. 5159 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Uttarpara** P.S. Case No. **386** of **2020** dated **05.11.2020** under Sections **420/406** of the Indian Penal Code.

And

In the matter of: **Sri Raghu Nath**

....petitioner.

Mr. Anirban Majumdar,
Mr. Arnab Chatterjee,
Mr. Somnath De

...for the petitioner.

Mr. Navanil De,
Mr. Subhrajit Dey,

...for the opposite party.

Mr. Saibal Bapuli, Ld. APP,
Mr. Soumik Ganguli,

...for the State.

Petitioner renews the prayer for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner filed a title suit seeking declaration of title in respect of the property concerned. The petitioner also lodged a First Information Report against the defacto complainant prior in point of time. The petitioner was falsely implicated.

Learned advocate appearing for the State submits that the petitioner is involved in selling an immovable property to various persons including the defacto complainant. In the earlier order of rejection, the petitioner claimed that he returned the money to the defacto complainant.

Intriguingly, the stand of the petitioner is different since the earlier order of rejection. The shift in stand is noticeable. Now the petitioner claims that there is a title suit pending in respect of an immovable property and that there is a previous complaint. The defence of return of purchase price is no longer being availed of by

the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. 5159 of 2021 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

