

06.07.2022
Item No.9
Court No.29
CHC
Allowed

CRM (A) 3121 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Suri Police Station Case No.225 of 2022 dated 04/05/2022 under Sections 418/420/422/466/467/468/471/120B of the Indian Penal Code.

-And-

In the matter of : **Kazi Kaimul Islam**
...petitioner

Mr. Kallol Mondal, Advocate
Mr. Krishan Ray, Advocate
Mr. Souvik Das, Advocate
Ms. Anamitra Banerjee, Advocate
... ... For the Petitioner

Mr. Souvhik Mitter, Advocate
Mr. Ranjan Chakraborty
... ...For the de facto complainant

Md. Anwar Hossain, Advocate
Ms. Benajir Hasma, Advocate
Mr. Arif Ekbal Molla, Advocate
... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that complaint relates to immovable property and that too in respect of title to immovable property on the basis of registered document.

State and de facto complainant are represented.

There are disputes between the private parties with regard to immovable property.

There are registered documents of title in respect of the immovable property.

No civil suit is pending between the private parties.

The police complaint relates to immovable property and title to an immovable property. There is an element of civil dispute involved.

In such circumstances, we grant anticipatory bail to the petitioner.

Petitioner will make over the original deed in his possession in respect of the immovable property to the concerned Investigating Officer forthwith.

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 condition that the petitioner shall meet the Investigating Officer as and when called for till conclusion of the trial and on further condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 3121 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)