

26.07.2022
Serial no. 03
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 3170 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Joynagar** Police Station Case No. **351** of **2022** dated **16.05.2022** under Sections **466/467/468/471/472/120B** of the Indian Penal Code.
-And-

In the matter of : **Khatif Ali Laskar**

... .. Petitioner

Mr. Samim Ahammed,
Mr. Arnab Sinha,
Ms. Gulsanwara Pervin,
Mr. A. Basu, Advocates
... .. *For the Petitioner*

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee, Advocates
... ..*For the State*

Mr. Debabrata Roy,
Ms. Karabi Roy,
Mr. Soumik Mondal,
Ms. Sarbani Mukhopadhyay, Advocates
.. ..*For the de facto complainant*

Report submitted in Court be taken on record.

The application is taken up for consideration subsequent to the order dated July 6, 2022.

Documents in possession of the petitioner were made over to the Investigating Officer in terms of order dated July 6, 2022 on July 15, 2022.

The Investigating Officer is yet to complete the investigation with regard to documents as appears from the report.

The Investigating Officer is seeking to rely upon statements recorded prior to the seizure of the documents to

contend before the Court that custodial interrogation of the petitioner is required.

This stand of the Investigating Officer is not appreciated. The Investigating Officer is yet to enquire as to whether the documents seized in July 15, 2022 are fake or not.

In such circumstances, 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 also be 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 shall report before the Investigating Officer at such time and place as may be specified by the Investigating Officer till the conclusion of the investigation 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) 3170 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

