

10.08.2022
Serial no. 49
[Dd]
(Anticipatory bail)
(Rejected)

CRM (A) 3846 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **386** of **2022** dated **12.07.2022** under Sections **406/420/471/468/34** of the Indian Penal Code.

-And-

In the matter of : **Ishrat Meerza & Anr.**
... ..**Petitioners**

Mr. Dhiraj Trivedi,
Mr. Satadru Lahiri,
Mr. Bikash Kr. Singh, Advocates
... .. For the Petitioners

Mr. Sudip Ghosh,
Mr. Bitasok Banjerji, Advocates
... ..For the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners are in lawful possession of the property. He refers to the various proceedings taken in respect of the immovable property. He refers to the orders of the Court in respect of the immovable property. He submits that the petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the letter of the Murshidabad Estate and states that the agreement and the rent receipts are forged.

There are two aspects of the matter. One is with regard to the claim for possession of the petitioners. No doubt the claim for possession is receiving due consideration under the

provisions of law under which it is governed. There is an allegation of forgery which involves criminal liability.

On the aspect of forgery and criminal liability of the petitioners there are sufficient materials in the case dairy implicating the petitioners.

In such circumstances, the requirement of custodial interrogation of the petitioners cannot be overlooked.

We are, therefore, not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 3846 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)