

CRM (A) 4191 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 663 of 2022 dated 19.05.2022 under Sections 420/465/467/478/34 of the Indian Penal Code.

-And-

In the matter of : **Nurul Islam @ Nurul Islam Mondal**

... ... Petitioner

Mr. Jisan Iquabal Hossain, Advocate

... ... For the Petitioner

Mr. S.S. Imam, Advocate

Mr. S. Kundu, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is a law clerk. He was falsely implicated. The deed of gift was registered in which he participated. He submits that his client looked wisely facilitated the registration of the documents being unaware of the death of the donor.

Learned Advocate appearing for the State submits that the deed of gift is in respect of a person who was at the time of registration, dead.

Apparently, the petitioner was acting in his professional capacity in facilitating the registration of deed of gift.

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 condition that the petitioner shall meet the Investigating Officer once in a fortnight 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) 4191 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)