

CRM (A) 4578 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hematabad Police Station Case No. 226 of 2022 dated 28.07.2022 under Sections 467/468/471/420/34 of the Indian Penal Code.

-And-

In the matter of : **Mamtaj Ali @ Mumtaj Ali & Ors.**

... .. Petitioners

Mr. Himanshu De, Sr. Advocate

Mr. Navnil De, Advocate

Mr. Rajeshwar Chakraborty, Advocate

Mr. Srinjan Ghosh, Advocate

Mr. Subhrajit Dey, Advocate

... .. For the Petitioners

Mr. Binay Kr. Panda, Advocate

Mr. Subham Kanti Bhakat, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the second wife filed the instant police complaint falsely implicating the petitioners. The petitioners inherited properties out of the first wife. The first wife was known as Samima Bagum. The second wife was Hindu by religion. She claimed herself to be Samima Bagum also and filed the police complaint.

Apparently, the original title deeds were seized by the police.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that there are civil disputes involved, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 nos. 1 and 5 shall meet the Investigating

Officer once in a month till the conclusion of the investigation and petitioner no. 2, 3 and 4 will cooperate with the investigation till the conclusion of the investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 4578 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)