

07.11.2022
tkm/ct 28
sl no. 69

C.R.M. (DB) 3873 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Khanakul P.S case no. 314 of 2022 dated 26.7.2022 under sections 420/406/467/468/471/506/34 of the IPC

and

Allowed

In Re : Saiful Mirja & Anr.

..... petitioners

Mr. N S Ghosh

Mr. S Mondal

..... for the petitioners

Mr. Binay Panda

Ms. Puspita Saha

..... for the State

Petitioners are in custody for 72 days. It is submitted they are the lawful owners of the property.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Dispute relates to incorrect entries made in the records of the BL&LRO relating to ancestral property of the petitioners and the de facto complainant.

Keeping in mind the nature of offence which revolves around documents maintained in the public office, we are of the opinion further detention of the petitioners for progress of investigation is not necessary and they may be granted bail.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM, Arambagh, Hooghly on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that

petitioners while on bail shall meet the investigating officer once in a week until further orders.

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 3873 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)