

22.11.2022

Sl.5
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5196 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **186 of 2022** dated **14.04.2022** under Sections **419/420/465/468/471** of the Indian Penal Code, 1860 (G.R. Case No.860/2022).

And

In the matter of: **Subal Mandal**

....petitioner.

Mr. Sumanta Ganguly
Mr. Rajiv Lochan Chakraborty
Mr. Priyanjit Kundu

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Ms. Sonali Das
Ms. Sreeparna Das

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that a property is said to be transferred by the deed of gift to the petitioner. The petitioner did not accept the deed of gift. The petitioner did not sign the deed of gift as an acceptance of the gift.

In any event, the petitioner seeks leave to file a supplementary affidavit placing on record that the petitioner is not claiming any right, title and interest by virtue of the so-called deed of gift.

Supplementary affidavit filed by the petitioner in Court be taken on record.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the photocopy of the deed of gift.

In view of the stand taken by the petitioner in the supplementary affidavit filed in Court today where he claims that he did not accept the deed of gift and that no right, title and interest flowed to the petitioner by virtue of the registered deed of gift, we deem it appropriate 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5196 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)