

18.11.2022

Sl.35

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5307 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bidhannagar North** Police Station Case No. **146 of 2022** dated **13.10.2022** under Sections **419/420/465/467/468/471/406/34** of the Indian Penal Code.

And

In the matter of: **Sushil Kumar Jindal & Anr.**

....petitioners.

Mr. Milon Mukherjee, Ld. Sr. Advocate

Mr. Arindam Jana

Mr. Ravi R. Kumar

Mr. Saket Sharma

...for the petitioners.

Mr. Sudip Ghosh

Mr. Bitasok Banerji

...for the State.

Petitioners pray for anticipatory bail.

Petitioners are the purchasers of an immovable property.

The complaint against the petitioners is that they purchased the immovable property from a person who was dead at the time of the execution of the deed.

There is a civil suit pending in which the petitioners are party-defendants.

The suit relates to the title to the immovable property concerned.

On instructions, learned Senior Advocate appearing for the petitioners submits that the original title deed is lying with the HDFC Bank, A.J.C. Bose Road Branch, in respect of credit facilities which is being enjoyed by the petitioners.

In such circumstances, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner no.1 will report before the Investigating Officer once a week till the conclusion of the investigation and petitioner no.2 will cooperate with the investigation till the conclusion of the investigation and on 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.

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

C.R.M. (A) 5307 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)