

30.11.2022

Item No.2

Ct.No.34

dc.

Allowed

C.R.M. (SB) 281 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Goghat Police Station Case No. 61 of 2020 dated 24.02.2020 under Sections 420/465/468/471/120 of the Indian Penal Code, subsequently adding Sections 474/476 of the Indian Penal Code (G.R. Case No. 262 of 2020).

And

In Re : **Sarbeswar Kundu @ Sarbeshwar Kundu & Ors.**

... Petitioners.

Mr. Suman Chakraborty

... For the Petitioners.

Mr. S. S. Imam,
Mr. S. Kundu

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for about 48 days and all of them are senior citizens. They were implicated pursuant to a complaint being lodged. Learned advocate submits that the petitioners would cooperate with the investigation and would meet the Investigating Officer of the case as and when they are called for to do so.

Mr. Imam, learned advocate appearing for the State submits that the petitioners gave a fake deed of conveyance for mutation when it was detected. According to him, the petitioners are thickly involved in the offences as they tried to usurp the property of another.

I have considered the materials appearing in the case diary. However, having regard to the period of detention undergone, I am of the opinion that the petitioners may be released on bail. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Sarbeswar Kundu @ Sarbeshwar Kundu**, 2. **Maheswar Kundu** and 3. **Ratan Kundu** shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly.

If on bail, the petitioners would for the next three months meet the Investigating Officer of the case once a week. The petitioners will leave the jurisdiction of the sub-Division of Arambagh, Hooghly only with the leave of the learned Additional Chief Judicial Magistrate, Arambagh.

The application for bail, being CRM (SB) 281 of 2022, is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)