

05.12.2022

Sl.37

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5655 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dankuni** Police Station Case No. **309 of 2022** dated **24.08.2022** under Sections **468/420/406/120B** of the Indian Penal Code, 1860, corresponding to G.R. Case No.1727 of 2022.

And

In the matter of: **Bijoy Kumar Prajapati**

....petitioner.

Md. Sabir Ahmed
Mr. Abdur Rakib
Mr. Dhiman Banerjee
Mr. Lalratan Mondal

...for the petitioner.

Mr. Binay Panda
Mr. Subham Bhakat

...for the State.

Petitioner prays for anticipatory bail.

The police complaint revolves around an immovable property.

Apparently, the de facto complainant appointed the petitioner as the Power of Attorney holder. The complaint is that the petitioner allegedly misutilized such Power of Attorney to transfer the immovable property in the names of his son and wife.

There is a civil suit pending between the private parties. Prayer for injunction made on behalf of the de facto complainant was refused. The civil suit is at the behest of the de facto complainant.

Apparently, the de facto complainant received consideration for the transfer of the immovable property.

In such circumstances, we 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) 5655 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)