

06.12.2022

Sl.37

Court No.29

(AD)

(Rejected)

C.R.M. (A) 5682 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bishnupur** Police Station Case No.**27/22** dated **16/03/2022** under Sections **419/420/468/471/120B** of the Indian Penal Code and corresponding to G.R. No.136/2022.

And

In the matter of: **Bipradas Mukherjee**

....petitioner.

Mr. Prabir Kumar Mitra

Ms. Subhanwita Ghosh

Ms. Ariba Shahab

... for the petitioner.

Mr. Arijit Ganguly

Mr. Avik Ghatak

... for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the principal accused was granted bail by the jurisdictional Court. The investigations are based on documents and, therefore, custodial interrogation of the petitioner is not necessary.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the order of rejection of the prayer for anticipatory bail of another co-accused passed on September 21, 2022 in CRM (A) 4494 of 2022.

Apparently, a living person was impersonated by another person in deed of conveyance.

Apparently, the petitioner is involved in creation of document suggesting that the original owner was dead and, thereafter, the registered deed transferring the immovable property belonging to such person was witnessed by the petitioner.

The nature of the crime and the complicity of the petitioner therein does not rule out the requirement of custodial interrogation of the petitioner.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 5682 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)