

14.12.2022

Sl.15
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5807 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Golabari** Police Station Case No. **397 of 2022** dated **16.10.2022** under Sections **467/468/471/420** of the Indian Penal Code.

And

In the matter of: **Pawan Kumar Soni**

....petitioner.

Mr. Mrityunjoy Chatterjee

Mr. S. Paul

Mr. Debapriya Majumder

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Arijit Gangul

Mr. Arani Bhattacharyya

...for the State.

Mr. Satadru Lahiri

Mr. Kaushik Banerjee

... for the de facto complainant.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is a tenant and the de facto complainant is the landlord. The police complaint was lodged to falsely implicate the petitioner.

State and the de facto complainant are represented.

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

Learned Advocate appearing for the de facto complainant submits that the petitioner forged the signature of the erstwhile tenant to obtain an electric supply.

Apparently, the disputes between the private parties are civil in nature.

There is a landlord tenant relationship.

Moreover, the case revolves around some of the documents. We do not find that the custodial interrogation of the petitioner is required in the facts and circumstances of the present case.

Consequently, 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) 5807 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)