

18.01.2023
Serial no. 06
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 21 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with G.R Case NO. 2161 of 2022 Arising out of **Sagardighi** Police Station Case No. **408** of **2022** dated **30.08.2022** under Sections **406/409/419/420/465/467/468/471/120B** of the Indian Penal Code.

-And-

In the matter of : **Nirmalya Mandal @ Nirmalla Mondal**
... .. Petitioner

Ms. Minoti Gomes,
Md. Golam Nure Imrohi, Advocates
... .. *For the Petitioner*

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty, Advocates
... ..*For the State*

Supplementary affidavit filed in Court be taken on record.

Petitioner claims that the petitioner was misled in purchasing an immovable property. In fact, the petitioner is the victim. In support of such contention, petitioner relies upon the affidavit where the petitioner states that the petitioner will not claim any right, title and interest in respect of the immovable property covered under the Deed of Conveyance.

Considering the materials in the case diary and considering the gravity of the offence and the involvement of the petitioner therein and the stand taken before the Court, we are inclined to grant anticipatory bail to the petitioner.

Petitioner will make over the original title deed in respect of the immovable property to the Investigating Officer forthwith.

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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 21 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)