

05.01.2023
S/L No.1
KS

C.R.M.(SB) 3 of 2023
Md. Wasim Akram @ Ashim Akram
-Vs.-
The State of West Bengal

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Englishbazar** Police Station Case No.1345 of 2022 dated 29.08.2022 under Sections 465/ 468/ 471/ 109 of the Indian Penal Code.

Mr. Rana Mukherjee
Mr. Rhiddhiman Mukherjee
..... For the Petitioner
Mr. Prasun Kumar Datta
Mr. Nirupam Dhali
.....For the State
Mr. Pappu Adhikary
Ms. Roma Roy
.....For the de facto complainant

Petitioner is in custody for about 25 days. Drawing attention of this Court to the First Information Report and the relevant documents it has been pointed out that the petitioner has purchased the property and himself has been deprived of the misrepresentations made by the vendor. It has further been submitted that the deed has already been seized by the Investigating Agency, another accused has been arrested and the investigation is still in progress.

Learned advocate appearing for the State opposes the prayer for bail and submits that the purchaser and the vendor were hand in gloves with each other and they made transactions both by manufacturing the documents as well as misrepresentations.

Learned advocate appearing for the de facto complainant submits that the present petitioner alongwith his associates are pressurizing the original owner to vacate the property.

I have considered the submissions advanced by the learned advocates appearing for the parties and having regard to the period of detention and considering the case being based on documents, I am of the opinion that further detention of the petitioner is unwarranted.

In the facts and circumstances of the case, the petitioner would be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned C.J.M. Malda. If on bail, the petitioner shall meet with the Investigating Officer of the case once in a week until further orders. The petitioner shall stay outside the jurisdiction of English Bazar Police Station and shall enter into the jurisdiction only for the purposes of attending the Court and the Investigating Officer of English Bazar Police Station. If there is any change of address, the petitioner shall immediately inform the same to the Investigating Officer of the case as well as to the Learned Court in the alternative, the Learned Court would be at liberty to cancel the bond without making any further reference to this Court.

Accordingly, C.R.M.(SB) 3 of 2023 is disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)

