

02.02.2023
tkm/ct 28
sl no.59

C.R.M. (DB) 387 of 2023

In Re : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

In Re : Kshitish Chandra Biswas petitioner

Mr. D Banerjee
Md. Omar Faruk Gazi

..... for the petitioner

Petitioner seeks cancellation of bail. He contends opposite party nos. 2 to 5 used a fake identity card to register a forged document. They were released on bail on the same day.

We have considered the impugned order. Allegation relates to use of a forged identity card of the petitioner. Opposite party nos. 2 to 5 were served notice under section 41A Cr.P.C. They co-operated with investigation.

As they co-operated with investigation, they were released on bail. Investigation in the crime revolves around authenticity of documents i.e. identity card and deed. Custodial interrogation for such purpose is not necessary.

Hence, we are not inclined to cancel the bail of the said opposite parties.

However, we direct that the said opposite parties shall co-operate with the investigation regarding verification of the deed/identity card and also supply specimen signature, if necessary, to the investigating officer.

Petitioner is at liberty to communicate this order to opposite party nos. 2 to 5 herein.

Department shall also communicate this order to the said opposite parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)