

06.02.2023

Sl.17

Court No.29

(AD)

(Rejected)

C.R.M. (A) 476 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gurguripal** Police Station Case No.**140 of 2022** dated **15.08.2022** under Sections **341/323/325/307/379/406/420/506/34** of the Indian Penal Code , 1860 corresponding to G.R. Case No.2528 of 2022.

And

In the matter of: **Fatik Chand Kundu & Anr.**

....petitioners.

Mr. Ooiseeroop Sinha

...for the petitioners.

Mr. Tanmoy Kumar Ghosh, Ld. Senior Government Advocate
Mr. Arindam Sen.

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

State is represented.

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

There are materials in the case diary suggesting that the petitioners were part of a racket by which the immovable property of a person was sought to be sold through impersonation.

The petitioners apparently witnessed the document.

Complicity of the petitioners cannot be overlooked.

Need for custodial interrogation of the petitioners also cannot be overlooked.

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

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

C.R.M. (A) 476 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)