

59 27.02.2023
(AD) Court No.29
(Rejected)

C.R.M. (DB) 785 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Amherst Street** P.S. Case No.**21 of 2022** dated **26.01.2022** under Sections **406/420/467/468/469/471/120B** of Indian Penal Code, 1860.

And

In the matter of: Sajid Akhtar

....petitioner.

Mr. Ayan Bhattacharyya
Mr. Pawan Kumar Gupta

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Manaranjan Mahata

... for the State.

Mr. Sourav Chatterjee
Mr. Sudip Kumar Dutta
Mr. Rahul Ganguly

... for the de facto complainant.

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 88 days. The police filed charge sheet. The petitioner is the brother of a person who filed a civil suit. There is an interim order passed in the civil suit. He submits that further detention of the petitioner is not required in view of the police filing charge sheet.

Learned Advocate appearing for the State submits that the police are unable to seize the original of the deeds which the brother of the petitioner relied upon and annexed to the application for injunction in a civil suit.

Learned Advocate appearing for the de facto complainant submits that the petitioner and his brother were engaged as caretakers to look after an immovable property. They apparently created false documents. The brother of the petitioner filed a civil suit where reliance was placed upon two deeds claimed to be registered. The original of those two deeds

are yet to be located.

The immovable property concerned is valuable and lies in the city of Kolkata.

There is a civil suit at the behest of the brother of the petitioner in which, two deeds were relied upon.

Police claimed that such deeds were not registered with any registration authority.

Police are yet to recover the deeds.

Complicity of the petitioner cannot be overlooked with regard to the crimes alleged as against him.

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

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 785 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)