

15.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1982 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pingla** Police Station Case No. **79** of **2023** dated **23.02.2023** under Sections 406/420/463/466/506/34 of the Indian Penal Code, 1860.

And

In Re : Bidesh Ranjan Dutta

..... petitioner

Mr. Soumyajit Das Mahapatra
....for the petitioner

Mr. Tanmoy Kumar Ghosh
Mr. Asraf Mondal
....for the State

The petitioner, apparently, is a witness to a Deed, which is the subject matter of a civil suit filed in the year 2019.

Apparently, the police complaint is based on a written document.

The issue as to whether the document concerned was forged or not is an issue in the title suit.

Criminal liability, if any, will follow such decision of the civil suit.

Consequently, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 meet the Investigating Officer as and when called for till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)