

19.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2104 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **72** of **2023** dated **01.03.2023** under Sections 420/465/467/468/34 of the Indian Penal Code.

And

In Re : Jayanta Kumar Mridha

..... petitioner

Mr. Arindam Jana

Mr. S. S. Mondal

Mr. A. Das Sharma

Mr. P. P. Sinha

....for the petitioner

Mr. Sudip Majumder

....for the defacto complainant in person

Mr. Neguive Ahmed

Ms. Amita Gour

....for the State

Petitioner and the State are represented.

De-facto complainant appears in person.

There are disputes between the private parties with regard to an immovable property.

Apparently, allegations relate to recording of name in the records of the Block Land and Land Reforms Office. Record of rights, per se, does not confer title on the person whose name is recorded.

The civil disputes are yet to be adjudicated upon by the competent Court.

Criminal liability, if there be any, will follow the civil liability, if there be any.

In such circumstances, 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.)

