

01.06.2023.  
27.  
Ct.No.08  
as/TN  
(Allowed)

**C.R.M. (DB) 2164 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat P. S. Case No.146 of 2023 dated 01.03.2023 under Sections 466/461/468/471/420/34 of the Indian Penal Code and adding Section 467 of the Indian Penal Code.

In the matter of : Abdulla Sardar & Anr.

.... Petitioners.

Mr. Yunush Mondal,  
Mr. Pronojit Roy.

...for the Petitioners.

Mr. Rudradipta Nandy, Id. A.P.P.,  
Ms. Pritha Paul.

...for the State.

Leave is granted to the learned Advocate-on-record for the petitioners to add Section 467 of the Indian Penal Code in the cause title of the petition.

Learned Advocate appearing on behalf of the petitioners submits that the matter is purely civil in nature and there is a civil case pending bearing Title Suit No.230 of 2023, pending before the learned Civil Judge (Junior Division), 1<sup>st</sup> Court, Basirhat. He further submits that the petitioners are in custody for 32 days.

Considering the aforesaid facts and circumstances of the case, he prays enlarging the petitioners on bail.

The learned Additional Public Prosecutor raises objection to the prayer of the petitioners.

On going through the records, it reveals that the case involves civil in nature and title suit is pending in this regard.

Considering the aforesaid facts and circumstances case, let the petitioners be released on bail.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat, North 24-Paraganas.

The application for bail being CRM (DB) 2164 of 2023 is allowed.

**(Supratim Bhattacharya, J.)**

**(Tirthankar Ghosh, J.)**