

04.07.2023

Sl. 43

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2355 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **490** of **2023** dated **09.05.2023** under Sections **406/420/468/471/472/473/120B** IPC.

And

In the matter of: **Anusreeta Hatua & Anr.**

....petitioners.

With

C.R.M. (A) 2631 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **490** of **2023** dated **09.05.2023** under Sections **406/420/468/471/472/473/120B** IPC.

And

In the matter of: **Asok Kumar Hatua**

....petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Jakir Hossain

...for the petitioners.

Mr. Sanjay Bardhan

Mr. Palash Chandra Majhi

...for the State

in C.R.M. (A) 2355 of 2023.

Mr. Rudradipta Nandy, Ld. APP

...for the State

in C.R.M. (A) 2361 of 2023.

1. Heard learned Counsel for the parties.
2. In CRM (A) 2355 of 2023, the daughter and son of Asok Kumar Hatua, who is the petitioner in CRM (A) 2631 of 2023 are the petitioners. The issue involved is issuance of fake caste certificate in respect of the aforesaid three persons at the instance of Asok Kumar Hatua, the petitioner in the later case. The fake certificate so issued on the basis of enquiry

report by the concerned Revenue Inspector is stated to be cancelled in the meantime and the consequence, thereafter, shall follow in accordance with the course of law.

3. It is submitted by Mr. Basu, learned Senior Counsel that the petitioners in the first case i.e., in CRM (A) 2355 of 2023 were minors at the time, the caste certificate was obtained by their father without any knowledge on their part.
4. Learned Counsel for the State on the other hand submits that Asok Kumar Hatua, the petitioner in CRM (A) 2631 of 2023 by misrepresentation managed to get a favourable report in favour of him by the Revenue Inspector. There is also falsification of documents.
5. Be that as it may, the investigation having substantially progressed, we are inclined to grant the petitioners with the benefit of anticipatory bail especially, in view of the nature of offence and circumstances involved. Accordingly, it is directed that each of the petitioner in the aforesaid anticipatory bail applications being CRM (A) 2355 of 2023 and CRM (A) 2631 of 2023 shall be released on bail in the event of their arrest by the Arresting Officer on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Tamluk Police Station Case No. 490 of 2023 dated 09.05.2023.
6. Within 21 days of the receipt of server copy or certified copy of this order, the petitioners are directed to appear before the I.O along with a copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.

8. The applications being **CRM (A) 2355 of 2023** and **CRM (A) 2631 of 2023** are disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

