

02.08.2023
(D/L 34)
Ct. No.29
Allowed
(SKB)

CRM (A) 2731 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mothabari P.S. Case No.381 of 2022 dated 19.09.2022 under Sections 420/417/406/506/34 of the Indian Penal Code.

In the matter of : Soheli Hossain @ Soheli Iqbal Hossain
... petitioner

Mr. Mrityunjay Chatterjee,
Mr. Debapriya Majumder
... for the petitioner

Mr. Bidyut Kr. Roy,
Ms. Rita Datta
... for the State

1. Heard the learned Counsel for the parties.
2. The father of the present petitioner has already been admitted to anticipatory bail vide order dated 3.3.2023 passed in CRM(A) 934 of 2023. The father of the petitioner is alleged to have entered into an oral agreement with the informant in presence of the present petitioner for sale of an immovable property. The informant is alleged to have paid Rs.17 lacs to the present petitioner. When the petitioner and his father failed to execute the sale deed, the present FIR has been filed. The dispute is essentially civil in nature relating to Specific Performance of Contract.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of

allegation, nature of offence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2731 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)