

14.08.2023
(D/L 06)
Ct. No.29
Allowed
(SKB)

CRM (A) 2855 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Harirampur P.S. Case No.238 of 2022 dated 12.09.2022 under Sections 420/467/468/471/193 of the Indian Penal Code.

In the matter of : Ajfarul Sekh

... petitioner

Mr. Asim Kumar Chakraborti

... for the petitioner

Mr. Swapan Banerjee,

Mr. Anindya Sundar Chatterjee

... for the State

1. Heard the learned Counsel for the parties.
2. It is made clear that the present petitioner Ajfarul and Afjarul is the same person as per the report given by the concerned Panchayat. The allegation against the petitioner is that he sought for mutation for a particular land on the basis of fake documents. Suspecting genuineness of the documents, the concerned Revenue Officer sent the documents for verification and report was received by him to the effect that the documents supplied by the petitioner are fake.
3. Such an offence is serious in nature but at the same time, all the evidences are documentary in nature and we do not find any justification for custodial interrogation of the petitioner.

4. 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 including the condition:
 - i) The petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. 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.
7. The application being CRM(A) 2855 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.
9. The report of the Panchayat submitted by the learned counsel for the State be taken on record.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)