

08.08.2023
(D/L 23)
Ct. No.29
Allowed
(SKB)

CRM (A) 2860 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ganga Sagar Costal P.S. Case No.26 of 2023 dated 03.04.2023 under Sections 420/467/468/471/506/34 of the Indian Penal Code.

In the matter of : Maherneka @ Mehernisha Bibi
... petitioner

Mr. Tapas Kumar Mondal
... for the petitioner

Mr. S. S. Imam,
Mr. R. Jana
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner is alleged to have transferred some property in favour of an outsider though she had no right, title and interest over the property in respect of which the informant is the successor-in-interest of her late father Paresh Chandra Ghorui. The case is purely civil in nature but some criminal elements are there relating to the correction of documents alleged to be at the instance of the present petitioner for effecting the alleged transfer. But the present case at any rate cannot be conclusive so far as the right, title and interest of the informant over the property is concerned.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is

directed that the petitioner shall be released on bail by the Arresting Officer in the event of her 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 being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset till submission of Final Form.

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) 2860 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.)