

29.08.2023

SL. 11

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3089 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Joynagar** Police Station Case No. **228** of **2023** dated **07.06.2023** under Sections **420/406/467/468/471/506/120B/34** IPC.

And

In the matter of: **Anupam Das**

....petitioner.

Mr. Subha Pathak
Ms. Piyeeta Bhattacharjee

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Mr. Iqbal Kabir

...for the State.

1. Heard learned Counsel for the parties.
2. The victim is the married sister of the present petitioner, who has become a co-sharer by virtue of amendment to Hindu Succession Act in 2005. Admittedly, the dispute is between two co-sharers and it is alleged by the complainant that on the basis of a forged deed, the petitioner has sold more than his share in the joint property though such allegation is refuted by the learned Counsel for the petitioner.
3. Learned Counsel for the petitioner submits that he has sold his part of the share only in the joint property.
4. This is a case of purely civil in nature.
5. Regard being had to the facts and submission, 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 in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on

such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3089 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

