

23.08.2023
ML. 368
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3174 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bankura** Police Station Case No. **161** of **2023** dated **01.05.2023** under Sections **406/420/465/466/467/323/120B/506** IPC.

And

In the matter of: **Sri Dibyendu Adhurjya @ Kush & Ors.**
....petitioners.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Subhas Chandra Atha
Ms. Payel Paramanik

...for the petitioners.

Md. Anwar Hossain
Ms. Sreyashee Biswas

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed before us including the FIR, statement of the witnesses recorded under Section 161 Cr.P.C. The present petitioner nos. 1 and 2 are stated to be the land brokers. It is alleged by the informant that the petitioners in connivance with the office of the jurisdictional Sub-Registrar have interpolated document i.e., power of attorney and have sold some more lands in favour of some strangers.
3. It is found from the statement of the concerned Sub-Registrar and other witnesses that the alleged power of attorney suffers no correction etc., as alleged in the FIR and same is the statement of the District Sub-Registrar also. The dispute is one of civil in nature.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation,

nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of their 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 including the condition that:

- i) the petitioners are directed to appear before the I.O. for the purpose of investigation as and when required till submission of F.F.
5. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3174 of 2023** is disposed of.
8. 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.)

