

28.08.2023
SL. ML-518
Court No. 29
A.B.
(Allowed)

C.R.M. (A) 3339 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Murshidabad** Police Station Case No. **365 of 2022** dated **03.07.2022** under Sections **420/406/467/468/471** of the IPC.

And

In the matter of: **Sudarshan Sarkar**

....petitioner.

Mr. Ashim Kumar Chakraborty

...for the petitioner.

Mr. Tanmoy Kumar Ghosh

Ms. Pritha Paul

...for the State.

Mr. Tapodip Gupta

.... For defacto complainant

1. Heard learned Counsel for both the parties.
2. In an alleged Sale Deed the petitioner is shown as witness No. 2 though the learned counsel for the petitioner submits that neither the petitioner was present at the time of execution of deed nor has he signed thereon.
3. Such question of fact should be best left to be decided by the learned Trial Court.
4. 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 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 conditions that:
 - i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till

submission of Final Form.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3339 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

