

29.08.2023

SL. 47

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3424 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Narendrapur** Police Station Case No. **428** of **2023** dated **09.05.2023** under Sections **420/406/467/471/120B** IPC.

And

In the matter of: **Braja Gopal Chatterjee & Anr.**

....petitioners.

Mr. Sourav Chatterjee

Mr. Soumya Nag

Mr. Pratap Sanpui

Ms. Pramita Banerjee

...for the petitioners.

Mr. Joydeep Roy

Ms. Sujata Das

...for the State.

Mr. Sabir Ahmed

Ms. Suman Biswas

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. The petitioners are the husband and wife the tenants/licensees under the informant.
3. It is alleged that they stopped payment of rent and thereafter reproduced a forged agreement deed which has been used in the legal proceeding against the informant.
4. The present case is purely civil in nature and the nature of the document which is alleged to be forged can be decided by the civil court or common law forum where the proceeding(s) is/are pending.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioners nature of allegation 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. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
6. 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.
 7. Accordingly, the prayer for the anticipatory bail is allowed.
 8. The application being **CRM (A) 3424 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.)

