

12.09.2023.
33.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3508 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad P.S. Case No.365 of 2022 dated 03.07.2022 under Sections 420/406/467/468/471 of the Indian Penal Code.

In the matter of : **Basudeb Biswas.**

.... Petitioner.

Md. Abdur Rakib,
Mr. Biswajit Sarkar.

...for the Petitioner.

Mr. Binay Panda,
Mr. Subham Bhakat.

...for the State.

1. Petitioner submits there is a civil dispute between the parties. Co-accused have been granted anticipatory bail. He is in custody for 43 days. He prays for regular bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner and others had dishonestly cheated the de-facto complainant on the strength of a forged deed.
3. We have considered the materials on record. Legality of the sale is the subject matter of the civil suit. Co-accused have been granted anticipatory bail. Alleged forged deed is in the possession of the investigating agency. Further detention of the petitioner for progress of investigation is not necessary and he may be enlarged on bail.
4. Accordingly, the petitioner viz., **Basudeb Biswas** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial

Magistrate, Lalbagh, Murshidabad subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)