

01.12.2023
tkm/ct 28
sl no.70

C.R.M. (A) 4525 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotulpur P.S case no. 263 of 2023 dated 2.9.2023 under sections 420/506 IPC

And

Allowed

In Re : Basudeb Mondal

..... petitioner

Mr. Arindam Jana
Mr. S Sarkar

..... for the petitioner

Mr. T K Ghosh
Mr. Asraf Mondal

..... for the State

1. Petitioner submits that the land in question was described in the land records as 'private devottar estate'. He purchased the property through a valid instrument. Allegation of absence of title is out and out false.

2. Learned lawyer for the State oppose the prayer for anticipatory bail.

3. We have considered the materials on record. Subject matter of dispute essentially relates to title in immovable property. Investigation revolves around documents which are available in the official records. Petitioner expresses his desire to co-operate with investigation.

4. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary but he requires to co-operate with investigating agency in accordance with law.

5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as

laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 4525 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)