

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**04.01.2023
Court No.1
(SKB 55)**

CRM(A) 662 OF 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Pradhan Nagar Police Station Case No.762 of 2022 dated 24.09.2022 under Sections 419/465/467/468/471 and 120B of the Indian Penal Code.

And

In the matter of: **Smt. Chandana Das and others**

.**Petitioners.**

Mr. Sandip Mandal,
Mr. Abhilash Mittal

... For the Petitioners.

Mr. Kallol Acharya,
Mr. Saikat Chatterjee

... For the State.

We find from the submissions made by learned counsel appearing for the three petitioners before us and the State that the charges against the three petitioners are negligible in nature. The petitioner no.1 is said to have purchased a part of a land through a power of attorney which is alleged to be forged.

The allegation of the power of attorney being forged has been made by the son of the land owner. The prime accused is one Tapan Kumar Ray who is the attorney of the land owner. Petitioner nos.2 and 3 were the witness when the deed of conveyance was executed.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Since we are of the view that the prime accused is some other person and the petitioner no.1 is only the purchaser of a portion of a land, we are inclined to grant the prayer for anticipatory bail.

We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioners shall co-operate with the investigation and make themselves available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM(A) 662 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)