

11.10.2023
PB, 9.

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 877 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Phansidewa P.S. Case No.82 of 2023 dated 03.03.2023 under Sections 447/468/471/420/34 of the Indian Penal Code.

And

In the matter of: Chumki Ganguly

.... petitioner

Mr. Sanjay Mazoomdar,
Ms. Sukanya Adhikary.
.....for the petitioner.

Mr. Abhijit Sarkar,
Mr. Chattu Roy.
.....for the State.

Heard learned advocates appearing for the parties.

This is an application for anticipatory bail. Case against the petitioner is under Section 447/468/471/420/34 of the Cr.P.C. Learned advocate for the petitioner submits that the civil suit being Title Suit No.72 of 2023 is pending between the petitioner and the defacto complainant and the dispute is civil in nature and petitioner has been falsely implicated and the bone of contention is the title of the land in question.

Learned advocate for the State respondent submits that petitioner is not cooperating in the investigation. Considering the facts

and circumstances of the case, we are of the view that custodial interrogation of the petitioner is not required.

In the event of arrest, the petitioner may be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount one of whom must be local, to the satisfaction of the learned ACJM, Siliguri. The petitioner shall meet the investigation officer once in a month until further order of this Court and shall also abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

With this observation and direction, the application being CRM(A) 877 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)