

21.02.2024
Item No.14
Ct. No. 29
CHC
Allowed

C.R.M.(A) 570 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** Police Station Case No. **510** of **2023** dated **07.09.2023** under Sections **420/406/506/120B** of the Indian Penal Code, 1860.

And

In the matter of : Motimala Begum & anr.

..... petitioners

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Mr. A. Banerjee

....for the petitioners

Mr. Tanmoy Kr. Ghosh, Ld. S.G.A
Mr. Arindam Sen

....for the State

Petitioners pray for anticipatory bail.

Police complaint revolves around an immovable property.

Apparently, there is a partition suit pending involving such immovable property.

Petitioner no.1 claims to be a bonafide purchaser for value without notice of the litigations involving such property.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we 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 only) each, 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 no.1, namely, Motimala Begum will cooperate with the investigation and petitioner no.2, namely, Sk. Habibur Rahaman will report before the Investigating Officer as and when called for and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 570 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)