

19.03.2024

Serial no. 02

Anticipatory bail

[Allowed]

Dd

CRM (A) 911 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Rajapur** Police Station Case No. **36** of **2024** dated **8th February, 2024** under Sections **417, 464, 465, 468, 469, 470, 471, 505** of the Indian Penal Code, 1860 pending before Learned ACJM, Uluberia.*

-And-

*In the matter of : **Subrata Jana***

*... .. **Petitioner***

*Mr. Sandipan Ganguly, sr. adv.
Mr. Somopriyo Choudhury,
Ms. Ashika Daga,
Mr. Matri Prasad Das,
Mr. Aayush Lakhotia, Advocates
... .. For the Petitioner*

*Mr. Soumik Ganguly,
Mr. Jayanta Dey, Advocate
... ..For the De facto complainant*

*Mr. Rudradipta Nandy, APP
Mr. Arindam sen, Advocates
... ..For the State*

Petitioner prays for anticipatory bail.

Learned senior advocate appearing for the petitioner submits that, the petitioner is a journalist. In pursuing the work as a journalist, petitioner initially put a news article relating to an officer-in-charge participating in a political rally in uniform. He submits that, the petitioner is, thereafter, being singled out for special treatment by the police. In the present police case, it is alleged as against the petitioner that the petitioner allegedly circulating a fake document. He submits that, petitioner received a document from a source. Petitioner forwarded such document to one of the signatory to the

document so as to question the veracity of such document. Petitioner did not take the document any further since, the de facto complainant denied the signature of such document. He submits that, petitioner is being falsely implicated.

State and the de facto complainant are represented.

Learned advocate for the State draws the attention of the Court to the materials in the case diary. He submits that, investigations are in progress. Petitioner is circulating a document which is fake, knowing the same to be fake. He submits that police require certain information from the organization at which the petitioner works. Petitioner is not cooperating with the investigations.

Apparently, present police case involves a document which is claimed to be a forgery.

Apparently, petitioner forwarded a document to the de facto complainant for his opinion. Apparently, petitioner was working as a journalist. In doing so, no news article was published on the basis of such document.

Materials in the case diary do not prompt us to hold that custodial interrogation of the petitioner is required.

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

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 911 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)