

12.04.2024
Item No.114
Court No.28
CHC
Allowed

C.R.M. (A) 1266 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sarenga Police Station Case No. 72/2023 dated 17.10.2023 under Sections 498A/323/420/506/34 of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Khatra.

And

In Re : Durga Bhandari & anr. petitioners

Mr. Saswata Gopal Mukherji,
Ms. Debadrita Mondal,
Ms. Sudeshna Chanda

.....for the petitioners

Mrs. Subhasree Patel

....for the State

1. Petitioners pray for anticipatory bail. Petitioners submit that they are bona fide purchasers for value. Vendor has been granted anticipatory bail.
2. Learned lawyer for the State opposes the prayer of anticipatory bail and produces Case Diary.
3. We have considered the materials on record. It is alleged that Sabita Bhandari has unauthorizedly transferred immovable property in favour of the petitioners. Sabita Bhandari has been granted anticipatory bail by a coordinate Bench of this Court. Accordingly, we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners, namely, Durga Bhandari and Arindam Bhandari shall be released on bail upon furnishing a bond of Rs.10,000/- 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 condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.
5. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)