

22.02.2024
Item No.48
Ct. No. 29
CHC

C.R.M.(DB) 1816 of 2023

In Re:- An application under Section 439(2) of the Code of Criminal Procedure, 1973 for cancellation of anticipatory bail.

And

In the matter of : Sarju Kumar Shaw

..... petitioner

Mr. Soumya Basu Roy Chowdhury,
Mr. Rudranil Das
....for the petitioner

Mr. S. S. Imam, Jr. Govt. Advocate
Mr. R. Jana
....for the State

State informed the opposite party no.2 as to the pendency of this application pursuant our order dated May 15, 2023.

None appears for the private respondent/opposite party no.2.

Learned advocate appearing for the petitioner submits that, the opposite party no.2 took a sum of Rs.7 Lakh for selling an immovable property. The opposite party no.2 is not the owner of such property. He points out that, the learned jurisdictional Court granted anticipatory bail to the private respondent/opposite party no.2 on the ground that the dispute is of civil in nature.

State is represented.

Admittedly, there was a transaction with regard to an immovable property. Petitioner may or may not be satisfied with

the title of the opposite party no.2 in respect of such immovable property. The finding of the learned jurisdictional Court that dispute is of civil nature cannot be said to be perverse.

In such circumstances, we find no merit in the application for cancellation.

CRM(DB) 1816 of 2023 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)