

13.08.2024
Court No.29
Item No. 25

sg

CRM (A) 2044 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Pukhuria Police Station Case No. 137 of 2024 dated 17.03.2024 under Sections 465/420 of the Indian Penal Code.

And

In Re: **Dildar Mia & Dildar Mian & Anr.**

Petitioners

Ms. Amita Gaur

Mr. Arni Bhattacharyya

For the State

Mr. Sreyash Basu Dasgupta

Mr. Anupam Ghosh

For the de-facto complainant

1. The petitioners are not represented. Even on the earlier occasion, the petitioners were not represented. On 2nd August, 2024, we directed the petitioners to file an affidavit to state on oath that they cooperated with the investigation. But I.O. was not willing to give a report without bribe. It was further submitted on behalf of the petitioners that all documents necessary for the investigation were produced during investigation.
2. I.O. appeared on 9th august, 2024 and has filed a report wherefrom it appears that on 31st July, 2024 the deed in question and other documents have been seized upon production by the defacto complainant. The petitioners have received the copy of the seizure list which mentions few documents seized on that date upon production by the petitioners.

3. In the absence of any affidavit being filed on behalf of the petitioners, we accept the explanation offered by the Investigation Officer as it reveals from the case diary.
4. In view of the making a false statement not being supported by an affidavit, this application stands dismissed.

(Soumen Sen, J.)

(Uday Kumar, J.)