

19.07.2024
Sl. No.10
akd
[ALLOWED]

C. R. M. (DB) 1930 of 2024 [ASSIGNED]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.06.2024 in connection with Bally Police Station Case No.180 of 2023 dated 26.12.2023 under Sections 420/467/468/120B of the Indian Penal Code. (G.R. Case No. 6459 of 2023)

And

In Re: **Nepal Ghosh**
... .. Petitioner

Ms. Sananda Bhattacharyya
... .. for the petitioner

Mr. Sardar Shahin Imam
Mr. Sayan Dev Kumar
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 57 days. It is further submitted the dispute is civil in nature and further detention is not necessary for progress of investigation. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner and others had prepared a fake sale deed and cheated the complainant.
3. We have considered the materials on record. Investigation revolves around document i.e. sale deed. The alleged fake sale deed has already been seized. Petitioner has been interrogated in custody. Under such circumstances, we are of the opinion further detention of the accused/petitioner for progress of investigation is not necessary.
4. Therefore, the accused/petitioner, namely **Nepal Ghosh**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial

Magistrate, Howrah subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Biswaroop Chowdhury, J.)

(Joymalya Bagchi, J.)