

13.08.2024

Court No.29

Item No.32

Allowed

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CRM (A) 2645 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dadpur Police Station Case No. 284 of 2023 dated 25.11.2023 corresponding to G.R Case No. 3346 of 2023 under Sections 447/448/464/468/470/471/420/406/120B/504/506 of the Indian Penal Code.

And

In Re: **Sk Sukur @ Sk Saber Ali**

Petitioner

Mr. Zubair Ahmed

For the Petitioner

Mr. Partha Pratim Das

Mr. Atanu Ghosh

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated.
2. Learned counsel for the State in opposing the prayer of anticipatory bail has submitted that the elder sister of the de-facto complainant, as it reveals, has initiated to gift the property to the de-facto complainant and subsequently sold the said property to a third party. It is alleged that the petitioner has conspired in creating the said document.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the nature of the dispute, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sk Sukur @ Sk Saber Ali** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the I.O once in a week till the submission of the final report and on further condition that the petitioner

shall appear before the learned Chief Judicial Magistrate, Hooghly, Chinsurah, within two weeks from date. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)