

27.09.2024
Court No.29
Item No. 7

Allowed
sg

CRM (A) 3450 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, in connection with Bhimpur Police Station Case No. 139 of 2022 dated 17.04.2022 under Sections 420/467/468/471/506/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Krishnagar at Nadia.

And

In Re: **Bhim Jar & Ors.**

Petitioners

Mr. Sumanta Das
Mr. K. Tripathi

For the Petitioners

Ms. Subhasree Patel
Mr. Ratul Ghosh

For the State

1. Leave is given to the learned Counsel for the petitioners to correct the name of the petitioner no.1 in the petition in course of this day.
2. We have heard the learned Counsel for the parties.
3. Considering the nature of the dispute and having regard to the fact that the petitioners have purchased this property from one Dibakar Mazumdar who also found to have sold the self-same property earlier to another vendor and the possibility of the petitioners being innocent purchasers, we are of the view that custodial interrogation of the present petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioners namely, **Bhim Jar, Jaydeb Jar, Bhishma Jar, Dipankar Jar and Barun Jar** , shall be released on bail upon furnishing a bond of Rs.3,000/- each, with one registered surety of like amount, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of

Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioners shall meet the I.O. once in a fortnight till the submission of the final report and the petitioners shall appear before the jurisdictional court within ten days from date.

5. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. 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.)