

01.10.2024
AD-09
Court No.29
TN
(Allowed)

CRM (A) 3445 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Frezganj Coastal Police Station Case No. 86 of 2024 dated 25.08.2024 under Sections 420/467/468/120B of the IPC.

And

In the matter of: **Indralal Pramanik**

.... petitioner

Ms. Pampa Dey (Dhabal)

....for the petitioner

Ms. Subhasree Patel,
Mr. Sourat Nandy

....for the State

Mr. Subhabrata Datta,
Ms. Debjani Roy Choudhuri,
Mr. Subhojit Seal,
Mr. Ajeyo Chowdhury

....for the *de facto* complainant

1. Pursuant to our earlier order, the investigating agency has filed a report. The report reveals that the name of the petitioner has been recorded as a bargadar in 2017 and continues to remain in the record till date.
2. We have been informed that an application has been filed by the *de facto* complainant for rectification of the barga record. The investigation has progressed substantially and all the required documents have been collected.
3. There appears to be case and counter-case between the parties over the land, forming the subject-matter of the complaint.

4. Having regard to the nature of the controversy, we are of the view that custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Indralal Pramanik** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023.
6. The petitioner shall meet the Investigating Officer once in a fortnight till submission of the report in the final form.
7. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Kakdwip within ten days from date.
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)