

04.01.2024
Item No.115
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4563 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **367/2023** dated **08.05.2023** under Sections **420/465/467/468/471** of the Indian Penal Code.
And

In the matter of : Swapan Mondal

..... petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. Bidyut Kr. Roy,

Ms. Rita Datta

....for the State

Petition is taken up for consideration subsequent to the order dated October 16, 2023 passed by the co-ordinate Bench.

By such order, the coordinate Bench granted interim anticipatory bail to the petitioner.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We perused the materials in the Case Diary.

The allegation as against the petitioner is that, he impersonated a dead person and executed a deed of conveyance. In fact, he identified the vendor in the earlier deed of conveyance.

Enlarging the petitioner at this stage, would be inimical to the investigation. Issue of impersonation and creation of false document are involved.

In such circumstances, we are unable to confirm the order dated October 16, 2023 or grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4563 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)