

18.11.2024
Sl. No.13
akd
[Rejected]

C. R. M. (A) 3720 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 01.10.2024 in connection with Basirhat Police Station Case No.510 of 2024 dated 19.07.2024 under Sections 319(2)/318(4)/336(2)/338/336(3)/340(1)(2)3(5) of the Bharatiya Nyay Sanhita, 2023. (G.R. Case No.3238 of 2024)

And

In Re: ***Dipankar Chakraborty***

... .. Petitioner

Mr. Suman Das Adhikary

... .. for the petitioner

Mrs. Sonali Das
Ms. Debjani Sahu

... .. for the State

1. It is submitted on behalf of the petitioner that he is the son-in-law of one Shyamali Panda. It is further submitted petitioner has no role to play with regard to the submission of succession certificate at the B.L.&L.R.O. office and transfer of the property in favour of Aparna Gayen and Shyamali Panda. He had been gifted the property by Kalpana Karmakar (daughter of Aparna Gayen) and had transferred it through a registered instrument to a third party. Accordingly, he prays for anticipatory bail.
2. In light of the aforesaid, Investigating Officer was directed to interrogate Aparna Gayen and Shyamali Panda with regard to the forged succession certificate submitted at the B.L.&L.R.O. office. During interrogation, Aparna Gayen stated she did not sign the succession certificate. Her picture in the gift deed through which the property was transferred and purportedly conveyed by her to others is not a genuine one. This gives an impression the property was dishonestly transferred in the name of Aparna Gayen and Shyamali Panda behind the back of said Aparna Gayen.

3. Petitioner is the son-in-law of Shyamali Panda. Shyamali Panda refused to offer herself for interrogation. The recital in the deed executed by the petitioner in favour of third party shows he had received the property from Kalpana Karmakar, daughter of Aparna Gayen. Aparna Gayen squarely denied she had any daughter by that name.

4. From these facts it is evident petitioner is involved in dishonest transfer of property on the strength of forged documents submitted at the B.L.&L.R.O. office. His custodial interrogation to unravel the conspiracy to prepare and submit forged documents in public office and thereby transfer property is necessary.

5. Hence, we are not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)