

18.11.2024
24
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 3937 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. No. 1670/2023 arising out of Jagacha Police Station Case No. 63 of 2023 dated 10.04.2023 under Sections 420/406/468/469/471/379/354/34 of the Indian Penal Code.

And

In Re: **Soumen Mondal and Anr.**

... .. Petitioners

Mr. Pawan Kr. Gupta,
Mr. Saugata Mitra,
Ms. Sofia Nesar,
Mr. Santanu Sett,
Mr. Subhadeep Maitra.

... .. for the petitioners

Mr. Debasish Roy, Id. P.P.
Mr. Arijit Ganguly,
Mr. Koushik Kundu

... .. for the State

Mr. Soumya Nag.

... for the de facto complainant

1. Petitioners submit they have been falsely implicated. Principal accused Sweety Mahapatra had been arrested. They pray for anticipatory bail.

2. Learned lawyer for the State and *de facto* complainant submit Sweety Mahapatra forged documents to personate as the wife of a deceased person. On the strength of forged documents she along with her associates including the petitioner took possession of the property belonging to the mother of the deceased.

3. We have considered the materials on record. Statement of witnesses and other documents show Sweety Mahapatra had

forged documents and taken possession of an immovable property of the deceased. It is alleged petitioner are her associates. Mother of the petitioner has been granted anticipatory bail. Nothing is placed on record to show petitioner was involved in preparation or use of the forged documents.

4. Under such circumstances, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary and they may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Soumen Mondal, & (2) Poulami Mondal** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition petitioner no. 1 viz. Soumen Mondal while on bail shall not enter the jurisdiction of Jagacha Police Station except for the purpose of attending court proceeding and provide address where he shall presently residing to the investigating agency and to the trial Court and shall report to the Officer-in-Charge of the police station concerned where he shall presently residing once in a week until further orders. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)