

05.02.2024

Serial no. 39
Anticipatory bail
[Rejected]
Dd

CRM (A) 5374 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **New Market** Police Station Case No. **265** of **2023** dated **27.09.2023** under Sections **120B/420/467/468/469/471** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Pradeep Kumar Jaiswal alias Pradip Kumar Jaiswal**
... ..**Petitioner**

Mr. Sourav Chatterjee,
Mr. Arkadeb Bhattacharyya,
Ms. Surabita Biswas, Advocates
... .. For the Petitioner

Mr. Joydeep Roy,
Mr. Amanul Islam, Advocates
... ..For the State

Learned advocate appearing for the petitioner submits that, the vendor made over a no due certificate of Kolkata Municipal Corporation in respect of the area property tax. On such basis, the petitioner purchased the immovable property.

Learned advocate appearing for the petitioner submits that, the petitioner filed a police complaint against the vendor in respect of the fake certificate of Kolkata Municipal Corporation, prior to the present police complaint.

Learned advocate appearing for the State submits that such police complaint was inquired into and a final report was filed before the jurisdictional Magistrate with a prayer for initiation of proceeding under Sections 182 and 211 of the Indian Penal Code, 1860 as against the petitioner. Learned

advocate appearing for the State submits that, no due certificate was found to be fake.

Property tax is due to Kolkata Municipal Corporation. Petitioner before us is the owner of the property over which the property tax is due and payable. Petitioner is seeking to rely upon a fake certificate to claim that no property tax is due and payable.

Complicity and role of the petitioner requires investigation.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 5374 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)