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Allowed

C.R.M. (A) No. 4331 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kalyani Police Station Case No. 791 of 2024 dated 30.09.2024 under Sections 336(2)/318(4)/ 338/336(3) /126(2) /117(2)/3(5) of BNS.

And

In Re : Biren Kumar Sarkar & Ors. .... petitioners

Mr. Niladri Sekhar Ghosh  
Mr. Nazar Chowdhury  
Mr. Sourov Mondal

.....for the petitioners

Mr. Binoy Kumar Panda  
Ms. Debadrita Mondal

.....for the State

1. Learned Counsel for the petitioners submits there is a dispute amongst co-sharers of the property. They have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioners had fraudulently obtained sanctioned building plan by forging signature of a co-sharer when he was abroad.

3. We have considered the materials on record. Case arose over construction of joint property. It is alleged sanctioned building plan was obtained by forging signature of the co-sharer when he was abroad. Alleged forged document is in the control and custody of the investigating agency. Custodial interrogation for progress of investigation is not

necessary. Accordingly we are inclined to grant anticipatory bail to the petitioners but subject to conditions.

4. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date and on further conditions that the petitioners shall meet the investigating officer once in a week until further orders and shall provide their signatures and hand-writings for verification, if necessary.

5. The application for anticipatory bail is, thus, allowed.

**(Apurba Sinha Ray, J.)**

**(Joymalya Bagchi, J.)**