

23.12.2024

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Allowed

C.R.M. (A) No. 4498 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Polba Police Station Case No. 230 of 2024 dated 13.08.2024 under Sections 318/316(2)/338/336/340/61(2) of the BNS.

And
In Re : Asha Malik petitioner

Mr. Suman Chakraborty
.....for the petitioner

Mr. Joydeep Roy
Ms. Afreen Begum
....for the State

1. Heard the learned advocates for the parties.
2. We have considered the materials on record. Case arose out of a land dispute. It is submitted mutation was made on the basis of a suspicious deed which is the subject matter of challenge in the civil court. It is trite mutation does not create title in the property. In light of the aforesaid circumstances and as investigation centers around documents which are within control and custody of the investigating agency we are inclined to grant anticipatory bail to the petitioner.
3. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the

conditions as laid down under Section 482(2) of the Bharatiya
Nagarik Suraksha Sanhita and on condition that she shall
appear before the jurisdictional court and pray for regular bail
within a period of four weeks from date.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)