

24.11.2024
12.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 4622 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bolpur Police Station Case No. 404/2023 dated 28.09.2023 under Sections 420/465/468/471/506/34 of IPC.

And

In Re: **Sk Najir and Anr.**

... .. Petitioners

Mr. Saryati Datta,
Mr. Sanjib Kr. Dan,
Mr. Chitrak Biswas.

... .. for the petitioners

Ms. Amita Gaur,
Ms. Nandini Chatterjee.

... .. for the State

1. Petitioners contend they had not received money from the *de facto* complainant. They have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. In the FIR it is alleged petitioners' father had taken a sum of Rs. 18 lakhs to sell a property. The transaction took place 12 years ago. Subsequently, *de facto* complainant came to know that the property had been sold to a third party. Petitioners' father had died after registration of FIR. There is no involvement of the petitioners in the transaction which took place 12 years ago.

4. Keeping in mind the extent of complicity of the petitioners in the crime, we are of the opinion custodial interrogation of the

petitioners is not necessary and they may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Sk Najir** and **(2) Kader Sk. @ Sekh Abdul Kader @ Lulu** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)