

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

14.05.2024.
13/tkm

C.R.M. (A) 392 of 2024

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kumargram P.S case no. 214 of 2023 dated 21.10.2023 under sections 465/467/468/471/120B of the IPC

And

Allowed

In Re : Gobinda Bahadur Chettripetitioner

Mr. A Saha

...for the Petitioner

Mr. Tapan Bhattacharjee

Mr. Dhiman Sil

...for the State

1. Petitioner submits a civil suit is pending between the parties with regard to property in question. He has been falsely implicated in the case. He prays or anticipatory bail.

2. Learned lawyer for the State opposes the prayer for anticipatory bail. He contends petitioner had dishonestly represented himself to be an absolute owner of the property and transferred it in favour of others.

3. We have considered the material on record. Property in question was owned by Rudra Bahadur Chettri. Statement of Land Reforms Officer shows daughter of the petitioner had a share in the property. A civil suit is pending by and between the parties over the self-same property. Investigation is complete.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. 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 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 392 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)