

20.08.2024
Court No.1
SL No.19
pk/AP

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

CRM(A) 536 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pundibari** P.S. Case No. **800 of 2023** dated **07.11.2023** under Sections **323/325/406/467/468/471/120B** of the Indian Penal Code.

And

In the matter of: **Parbati Saha @ Parboti Sah @ Parbati Sha @ Parbati Shaw and ors.**

....Petitioners.

Mr. Sudip Guha

...for the petitioners.

Mr. Abhijit Sarkar
Mr. Sanjiv Das

...for the State.

Mr. Satyajit Paul

...for the de facto complainant.

1. The application for anticipatory bail is made on the ground that the petitioner is the purchaser of the land in question through the deeds forged by the co-accused.

2. It appears that the anticipatory bail application of the co-accused was rejected by the Co-ordinate Bench on 24.05.2024 in CRM (A) 416 of 2024 recording detailed facts of the forgery committed by the applicants therein. The Bench was of the view that the investigation must be dealt with by a superior police officer not lower than the rank of Deputy Superintendent of Police.

3. There is no doubt therefore that the matter assumes substantial seriousness of offences of land grabbing and forgery of documents in the process.
4. As of date, this court does not find the present petitioners' stand on different footing than the applicants in CRM (A) 416 of 2024.
5. Learned counsel for the de facto complainant is represented before us. He submits that the land in question belongs to his predecessors-in-interest and he is in possession of the same.
6. Learned counsel for the State opposes the prayer for anticipatory bail.
7. In the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail at this stage.
8. The application for anticipatory bail is hereby rejected.

(Rajasekhar Mantha, J.)

(Ajoy Kumar Mukherjee, J.)