

27.11.2024
SI No.88
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 927 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS in connection with **Khribari** Police Station Case No. **283/2024** dated **10.09.2024** under Sections **318(4)/329(3)/336(2)(3)/340(2)/61(2)** of the BNSS.
And

In Re: **Sri Uday Ghosh**

... .. Petitioner

Mr. Rajat Das
Ms. Srijana Thapa

... for the petitioner

Mr. Abhijit Sarkar
Mr. Biswarup Roy

... .. for the State

Mr. Hillol Saha Podder

... for the de facto complainant

1. The petitioner prays for pre-arrest bail.
2. Learned counsel appearing on behalf of the State as also the learned counsel appearing for the de facto complainant vehemently oppose the prayer for anticipatory bail.
3. Upon perusal of the materials on record and considering the submissions, it appears that the dispute arises out of an alleged deed of gift and a deed of sale executed in favour of the petitioner. The record of rights stands in the name of the petitioner's vendor.
4. Considering the materials on record, the fact that the dispute is civil in nature and the nature of complaint, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.20,000/-, with two sureties of equal 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 corresponding to Section 482(2) of the BNSS, and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.
6. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)