

10.01.2025

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Allowed

C.R.M. (A) No. 69 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nadial Police Station Case No. 204 dated 27.12.2024 under Sections 318(4)/338/336(3)/340(2)/ 351(3)/329(3)/ 62/ 61(2) of the Bharatiya Nyaya Sanhita.

And

In Re : Dilwar Thandar & Ors. petitioners

Mr. Mani Sankar Chattopadhyay

.....for the petitioners

Ms. Sreyashee Biswas

Ms. Madhumita Basak

....for the State

Mr. Ayan Banerjee

Mr. Ratan Kumar Das

Mr. Dhiman Banerjee

.... for de facto complainant

1. Learned Counsel for the petitioners submits there is a civil suit pending by and the between the parties. Series of criminal cases have been falsely lodged against the petitioners. In one of those cases they have been granted anticipatory bail. Accordingly they pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioners had forged and fabricated sale deeds and are claiming title on the property.

3. This is also corroborated by the learned Counsel for the *de facto* complainant.

4. We have considered the materials on record. A civil suit is pending by and between the parties. Title to the property is to be determined in the said suit. Alleged forged deeds have already been seized by the police. In light of the aforesaid circumstances we are of the opinion though custodial interrogation is not necessary petitioners require to co-operate with investigation in accordance with law.

5. Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall meet the investigating Officer once in a week until further orders. They shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)