

14.01.2025

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Allowed

C.R.M. (A) No. 125 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Dhaniakhali Police Station Case No. 178 of 2024 dated 03.07.2024 under Sections 420/406 of the Indian Penal Code.

And

In Re : Bhaskar Malakar ..... petitioner

Mr. Gazi Faruque Hossain  
Ms. Varsha Roy

.....for the petitioner

Mr. Saryati Datta  
Mr. Rahul Ganguly

....for the State

1. Learned Counsel for the petitioner submits he is the witness to the deed and is unaware of the discrepancies in the contents of the document. Accordingly, he prays for anticipatory bail.

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

3. We have considered the materials on record. It is alleged description of the property in the body of the deed and the schedule is different. Petitioner is the signatory of the deed. It is nobody's case that the signature of the executor is forged. Under such circumstances we are inclined to grant anticipatory bail to the petitioner.

4. 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**