

07.02.2025
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as
[ALLOWED]

C. R. M. (A) 371 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Falta Police Station Case No. 210 of 2024 dated 23.07.2024 under Sections 420/406/467/468/472 of the Indian Penal Code.

In Re: Abdul Halim Molla.

... .. Petitioner

Mr. Satadru Lahiri,
Syed Wasim Faruque.

... .. for the Petitioner

Ms. Amita Gaur,
Mr. Subham Gani.

... .. for the State

1. Petitioner submits sale deed was executed in 2019. Subsequently, FIR alleging the deed to be forged was instituted in 2024. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. She submits the sale deed was executed by a dead person.
3. We have considered the materials on record. Sale deed was executed in 2019. The issue had been agitated before this Court under Article 226 of the Constitution of India in 2022 and a learned Single Judge directed the de-facto complainant to seek cancellation of the deed. No such steps were taken and in 2024 criminal case was registered. Alleged forged deed is in control and custody of the investigating agency.
4. In light of the aforesaid circumstances particularly the inordinate delay in lodging FIR, we are of the opinion custodial

interrogation of the petitioner is not necessary but he requires to co-operate with the investigation in accordance with law.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Abdul Halim Molla** 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 482(2) of the BNSS and on further condition petitioner while on bail shall meet the Investigating Officer once in a month until further orders and give his signature as well hand writing, if necessary. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)