

05.03.2025
Sl. No.16
akd
[ALLOWED]

C. R. M. (A) 772 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 27.02.2025 in connection with Kamarhati Police Station Case No.102 of 2023 dated 11.05.2023 under Sections 420/406/120B/34 of the Indian Penal Code. (G.R. Case No.4028 of 2023)

And

In Re: **Deepak Roy**

... .. Petitioner

Mr. Akash Sarkar

... .. for the petitioner

Md. Adil Badr

Mr. Kaustav Banerjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is a witness of the deed and was not aware of a prior sale deed executed over the selfsame property. He has cooperated with investigation. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits petitioner is the grandson of the transferor viz. Jogmaya Banerjee, an octogenarian lady who has since expired. He was aware the land had already been transferred to one Sandhya Das. He played principal role in the fraudulent transfer.

3. We have considered the materials on record. One Sandhya Das had purchased the plot from Jogmaya Banerjee (since deceased). Subsequently, Jogmaya transferred the selfsame land to the de-facto complainant for valuable consideration. Petitioner is Jogmaya's grandson and signed the deed as a witness. He has cooperated with investigation and nothing is placed on record to show money trail reaching his account. Hence, we are of the opinion custodial

interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, **Deepak Roy**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)