

24/04/2025

D/L 47
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1314 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Andal police station case no. 37 of 2025 dated 4.2.2025 corresponding to GR case no. 162/2025 under Sections 319(2)/313(4)/336(2)/338/336(3)/340(2)/61(2) of the BNS.

In the matter of: Biswajit Dey

... Petitioner

Mr. B. K. Panda

...for the petitioner.

Mr. Anand Keshari

Ms. S. Dutta

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits that the petitioner is a *bona fide* purchaser of the property without notice of any defect in title. It is alleged that the sellers of the property had actually impersonated the real owners and transferred the said property. In fact, the prime accused has now been granted bail. All relevant documents have been seized by the Investigating Officer.
2. Learned counsel appearing on behalf of the State submits that *prima facie* case is made out against the present petitioner.
3. In view of the nature of allegations and the role ascribed to the present petitioner, I do not think that custodial interrogation of the petitioner is required in this case.

4. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioner shall cooperate with the investigation, the petitioner shall meet the I.O as and when required and shall not threaten or intimidate witnesses.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)