

30.04.2025
SL.18
Ct.No.28
NB

CRM (A) 1369 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with GR No.2408/24 arising out of Chinsurah P.S. Case No.296 of 2024 dated 16.07.2024 under Sections 420/406/465/467/468/471/506/120B of the Indian Penal Code.

And

In the matter of: Pravash Das @ Prabhas Das ...petitioner

Mr. Sanat Kr. Das,
Mr. Sujan Chatterjee,
Mr. Rohan Bavishi.
...for the petitioner.

Mr. Rituparna Ghosh,
Mr. Sourat Nandy.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. Earlier, the concerned BL&LRO had lodged an FIR against the petitioner and his wife for having a deed recorded in their names. A charge sheet was submitted and the petitioners obtained bail. Later on, over the same allegations, the aggrieved party filed a second FIR alleging further that the petitioners had transferred the property to another. At best, the second FIR could have been treated as a further statement in the first case. Incidentally, the properties have been re-transferred to the original owners/aggrieved parties.

Learned counsel appearing on behalf of the State relies on the statements and documents contained in the case diary, especially the complaint of the BL&LRO dated 28.10.2024 that the property in

question in the name of the petitioner was recorded by using a fake deed.

In view of the fact that the petitioner has already obtained a bail over the allegations of wrongly recording a property in their names and considering the fact that the case is based on documentary evidence, most of which have already been seized, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition not to threaten or intimidate witnesses and to cooperate with the Investigating Officer.

The application for anticipatory bail being **CRM(A) 1369 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)