

21.05.2025

Item No.DL38
Court No. 28
Asraf, AR(Ct.)

ALLOWED

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (A) 1669 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 filed in connection with Ketugram Police Station case no.370 of 2024 dated 23.08.2024 under Sections 417, 420, 467, 468, 471 and 120B of the Indian Penal Code, 1860.*

-AND-

In the matter of :

RADHAGOBINDA GOSWAMI

.....Petitioner

For the Petitioner :

Mr. Pawan Kr. Gupta

Ms. Sofia Nesar

Mr. Santanu Sett

.....Advocates

For the State :

Mr. Antarikhya Basu

Ms. Mamata Jana

.....Advocates

Learned counsel appearing on behalf of the petitioner submits as follows. In 1984, a partition took place between four brothers including the present petitioner. In 2022, the petitioner sold his share of the property to another person. However, by mistake some portions contained in other *Daag* numbers belonging to his brothers were incorporated in the said deed. This defect was detected when the subsequent purchaser wanted to sell that property to the present de facto complainant. The de facto complainant lodged an FIR not only against the subsequent purchaser, but also against the present petitioner with whom he had no business transaction.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statement of the

deed writer as well as the wife of the present petitioner and refers to other materials on record. She submits that chargesheet has been submitted. Warrant has been issued against the present petitioner.

Considering the fact that most of the relevant documents pertaining to this case have been seized, the allegations have a substantial civil flavour in them, the alleged role ascribed to the present petitioner and the fact that chargesheet has been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 the Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that he shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall attend the jurisdictional Court on the dates fixed.

The application for anticipatory bail being **CRM (A) 1669 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.)