

25/08/2025

D/L 40

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2526 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 Burdwan (Sadar) police station case no. 688/2025 dated 18.6.2025 under sections 120B/420/467/468/471/409/166/167/34 of the IPC.

In the matter of: Tulsi Aich & Ors.

... Petitioners

Mr. Bitasok Banerjee

Mr. Abdus Salam

...for the petitioners.

Mr. Uday Sankar Chattopadhaya

Ms. A. Datta

...for the de-facto complainant.

Mr. Suman De

Mr. Kunal Ganguly

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The alleged forgery had taken place in 2003, as per the allegations. By such deeds, the grandmother of the petitioner no. 4 gifted a property to the said petitioner. Names were duly recorded in the land records. This fact was very much within the knowledge of the present de-facto complainant by 2006, as there were several cases and counter cases between the parties. There is a matter pending before the learned LRTT over the issue. Yet, the petitioner filed the present FIR only in 2025 without any explanation regarding the delay in question.

2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail. He submits that there are criminal antecedents of the petitioners.
3. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that the original deed in question has not been seized yet. However, he admits that the forgery in question was done by the grandmother of the petitioner no. 4 and she passed away long ago.
4. Considering the materials available in the case diary, the cases pending over the same issue between the private parties, the delay in lodging the FIR and the alleged roles ascribed to the present petitioners, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.
5. In the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner nos. 1 and 3 shall meet the I.O once a fortnight till submission of report in final form.

6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)