

02.09.2025
Court No.28
Item No.38
tbsr
Allowed

CRM (A) 2796 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tehatta** P.S. Case No.**421 of 2025** dated **07.06.2025** under Sections **318(4)/336(2)/336(3)/338** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Subrata Biswas**

....Petitioner.

Mr. Atis Kumar Biswas
Ms. Jyoti Agarwal
...for the petitioner.

Mr. Bibawan Bhattacharya
Ms. Dhanasree Biswas
....for the State.

Report filed on behalf of the State is taken on record.

Heard the learned counsels for the parties.

Perused the case diary.

Learned counsel appearing on behalf of the State submits as follows. It is the prosecution case that the petitioner is trying to have the land in plot no. 902 recorded in his name although he is not the owner of the same.

On the other hand, the petitioner's contention is that the petitioner is the owner of plot no. 901 which was purchased in 2009. However, for about 20 years, the petitioner had been possessing the land in plot no. 902. But, this plot was not purchased by him. Nor has there been effort to manufacture any document to get propriety rights over the said land.

Considering the nature of allegations, the fact that investigation is based on documents which are available with the relevant authorities and the materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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 the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall co-operate with investigation, shall meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)