

05.12.2025
Court No.28
Item No.42
tbsr
Allowed

CRM (A) 3906 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Habra** P.S. Case No. **335 of 2025** dated **24.08.2025** under Sections **318(4)/336(3)/337/338/339/340(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Bidhan Saha @ Bidhan Chandra Saha

Mr. Sumanta Chakraborty
Ms. Dhimoyee Kundu
...for the petitioner.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The present petitioner is alleged to be a facilitator of a land deed. The first wife of the deceased is the de facto complainant, while the allegations are made against the second wife, the new purchaser of the property and the facilitator. In fact, it was the first wife's son who had sold the property to the new purchaser by two deeds. He had obtained the said property from the said second wife. The dispute, if at all, is purely civil in nature.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that the second wife used a forged heirship certificate to get two decimals of land belonging to the deceased mutated in her name. She sold the said portion to her mother. Surprisingly, this portion was then sold by the said mother to the son of the first wife who is the de facto complainant.

Considering the above and the materials available in the case diary and the alleged role attributed to the present petitioner, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant to 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 cooperate 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.)