

18.12.2025
Sl. No.30
NB

CRM (A) 3835 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 Sankrail PS Case No.117/2025 dated 09.10.2025 under Sections 318(3)(4)/336(3)/338/340(2)/61(2) of the Bharatiya Nyaya Sanhita 2023.

And

In the matter of: Rajesh Agarwal

... petitioner

Mr. Brotindro Mullick,
Mr. Debnath Ganguly,
Mr. Supriyo Dutta,
Ms. Supriti Dutta Mukherjee,
Ms. Poulami Paul Maity,
Ms. Ankita Halder,
Mr. Tushar Halder.

...for the petitioner.

Mr. Avishek Sinha,
Mr. Sandip Kundu.

...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner can at best be termed as a bonafide purchaser of property without notice of any defect in title. In fact, the petitioner was not even present when the deed was registered.

Learned counsel appearing on behalf of the State relies on the case diary and strongly opposes the prayer for anticipatory bail. He submits that a fake "Warishan" certificate has been manufactured and used for transferring land belonging to persons who were alive in the name of the present petitioner. 40 such similar instances of 2025 has now come to light.

This is not a case of a proverbial bonafide purchaser of property without notice of any defect in title.

Considering the incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail being **CRM (A) 3835 of 2025** is, thus, rejected.

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.)