

22.01.2025.
Sl. No.18.
Ct. No. 1
SG
(Rejected)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri

C. R. M. (A) 33 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kharibari Police Station Case No. 283 of 2024 dated 10.09.2024 under Sections 318(4)/329(3)/336(2)(3)/340(2)/61(2) of BNS.

And

In Re: **Kamal Chandra Singha and Ors.**

..... Petitioners

Mr. Rajat Das,
Ms. S. Thapa.

.....for the petitioners

Mr. Nilay Chakraborty, Id A.P.P.
Mr. Sourav Ganguly,
Mr. Chattu Roy.

.....for the State

1. Petitioners submit the dispute is civil in nature. Co-accused Uday Ghosh has been granted anticipatory bail. Accordingly, they pray for similar relief.
2. Learned Advocate for the State submits petitioners had forged documents and falsely claiming themselves as owners of the land sold the land to Uday Ghosh. They do not stand on the same footing with Uday Ghosh who has been granted anticipatory bail.
3. We have considered the materials on record. *De facto* complainant is the power of attorney holder of the owners of the land in question. It is alleged that the petitioners had manufactured forged documents and falsely claiming to be

owners transferred the land for valuable consideration. Co-accused Uday Ghosh is the purchaser for value and has been granted pre-arrest bail. Petitioners do not stand on the same footing with Uday Ghosh.

4. In view of the nature of crime and principal role played by the petitioners therein, we are of the opinion this is not a fit case to grant anticipatory bail to them.

5. Application for anticipatory bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)