

13.05.2026
Court No.28
Item No. 42
tbsr
Allowed

CRM (A) 1353 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chanditala** P.S. Case No.**226 of 2024** dated **29.03.2024** under Sections **420/468/506/34** of the Indian Penal Code.

And

In the matter of: Barzina Begum @ Barjina Begam

....Petitioner.

Mr. Pratip Mukherjee
Mr. Sk. Md. Ismail
Mr. Sk. Md. Jayed
...for the petitioner

Mr. Krishnendu Bhattacharya
Mr. Tapodip Gupta
.... Amicus

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a *bona fide* purchaser of a property without knowledge of any defect in the title. She purchased the property in 2021. A civil suit was filed in 2022 over the self same issue. However, the present FIR was filed belatedly in the year 2024.

Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. He submits that present informant had purchased the same property in the year 1985. It is the case of the petitioner that she purchased the property in 2021 and sold it away in the year 2022. However, a prayer for cancellation of the deed of sale of 2026 was allowed by the civil Court.

At this stage, learned counsel for the petitioner submits that cancellation was allowed *ex parte* without the petitioner having any knowledge about the same.

Considering the above, the other materials available in the case diary, the fact that there is also a civil profile to the allegations levelled and that several relevant documents have already been seized during investigation, 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 cooperate with investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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.)