

CRM (A) 2225 of 2026

Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with the Saltora Police Station case no.98 of 2026 dated 23.06.2026 under Sections 126(2)/115(2)/316(2)/316(4)/318(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

In the matter of : **NIKHIL KUNDU & ORS**
..... petitioners

Adv. Subhas Chandra Atha
.... For the Petitioner.

Adv. Biswajit Tiwari
Adv. C.Chatterjee
.... For the State.

1. Parties are present through their respective Counsels.
2. Mr. Atha, learned Counsel appearing for the Petitioner, submits that, on an earlier occasion, the accused person had lodged an FIR on the basis of a complaint against one Shyamal Kumar Dutta, who happens to be the brother of the de facto complainant.
3. He submits that the said Shyamal Kumar Dutta was the Secretary of the Cooperative Society and that a case was lodged on the basis of the said complaint, which is still pending for final adjudication.

4. He submits that, subsequently, the brother of the erstwhile Secretary, namely, Anup Dutta, filed a complaint falsely implicating the Petitioner in the present case.
5. He submits that, considering the nature of the allegations, the Petitioner may be granted pre-arrest anticipatory bail.
6. Learned Counsel appearing for the State produces the C.D. and opposes the prayer for anticipatory bail made on behalf of the Petitioner.
7. Heard the learned advocate for the respective parties and perused the C.D. and other materials on record.
8. Considering the nature of the allegations, which are omnibus in nature, and the facts and circumstances of the case, and as there is no specific allegation against the present accused person, and certain documents relating to the transactions of the Society have also been collected, and there being no injury report in the C.D., I am of the view that the custodial interrogation of the Petitioner is not warranted and the benefit under Section 438 of the Cr.P.C. can be extended in favour of the present Petitioner.
9. Accordingly, the prayer for anticipatory bail is allowed.
10. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.

10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer, and shall 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 conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioners shall meet the I.O. once a week till submission of the report in final form. The petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

11. The application for anticipatory bail being **CRM (A) 2225 of 2026**, is thus, **disposed of**.
12. Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Partha Sarathi Chatterjee, J.)