

28.08.2026
Sl. No.12
Ct. 446/tkm

C. R. M. (A) 2338 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gangarampur Police Station Case No.433 of 2026 dated 24.04.2026 under sections 420/468/471 IPC

And

In Re: **Chandan Karmakar**

... .. Petitioner

Allowed

Mr. Bibaswan Bhattacharya
Ms. Asraf Mandal
Mr. T Sil
Mr. P Roy

... .. for the petitioner

Mr. Pradeep Kr. Singh

... .. for the State

1. Learned Advocate for the petitioner submits that the petitioner is inhabitant of the same locality where the de facto complainant also resides. Out of personal grudge and only to exert pressure upon the petitioner to extract a certain amount of money from him, the petitioner has been falsely implicated in this case. He submits that there is a delay of almost 10 years in lodging the FIR, and the delay has not been explained. In such circumstances, according to him, the benefit under Section 482 of the BNSS can be extended in favour of the petitioner.
2. Learned Advocate for the State produces the case diary and Memo of Evidence and opposes the prayer for anticipatory bail. He submits that, on the false promise of providing employment in various government offices, the petitioner took certain amounts of money from the de facto complainant and issued a fake confirmation letter. However, the de facto complainant subsequently came to learn about the same. Out of fear, he could not lodge the FIR. Hence, there was a delay in lodging the FIR.

3. Heard the learned Advocates appearing for the respective parties and perused the materials in the case diary. Undisputedly, there is a delay of almost ten years in lodging the FIR, and no explanation has been offered to justify such delay. The prosecution case is based on documentary evidence. The prosecution has failed to bring any material to show that custodial interrogation of the petitioner is required for collection of any further evidence. Hence, taking note of these facts and considering the fact that the petitioner has roots in society and there is no possibility of tampering with the evidence, and further considering that there is no material demonstrating the need for custodial interrogation of the petitioner, I am of the view that custodial interrogation of the petitioner is not necessary and that the privilege under Section 482 of the BNSS can be extended in favour of the petitioner.
4. Accordingly, I direct that, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM Buniddpur, Dakshin Dinajpur and also subject to the conditions as laid down under Section 482(2) of the BNSS, 2023. Petitioner shall meet the IO once a week till submission of charge sheet.
5. The application being CRM (A) 2338 of 2026 is disposed of.

(Partha Sarathi Chatterjee, J.)