

12.08.2024
SL No.42
Court No.29
(gc)
(Allowed)

CRM (A) 2755 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tarakeswar Police Station Case No.242 of 2024 dated 09.07.2024 under Sections 420/406/323/506/34 of the Indian Penal Code, 1973 (wrongly mentioned), substituted by Sections 318/316/115/351/315 of the BNS Act, 2023.

And

In the matter of : **Uttam Kumar Das**

- Petitioner.

Mr. Tapas Kr. Ghosh,
Mr. Tanmay Chowdhury
....For the Petitioner.

Ms. Rituparna De Ghose,
Ms. Poulami Bose
... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he is no way connected with the alleged offence.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has submitted that the son of the present petitioner had received Rs.4 lakhs in assurance of a job and entire transaction took place in presence of the petitioner.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and the fact that the son of the present petitioner is already in custody, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Uttam Kumar Das**, 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 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 with further direction that the petitioner shall meet the Investigating Officer once in a fortnight till the submission of the final report.

5. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Chandernagore, Hooghly in connection with G.R. Case No.1324 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)