

08.10.2024
AD-13
Court No.29
TN
(Allowed)

CRM (A) 3612 of 2024

In Re:- An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bhabanipur Police Station Case No. 229 of 2024 dated 05.08.2024 under Sections 316(3)/318(4) of the BNS, 2023.

And

In the matter of: **Buddhadeb Naskar**

.... petitioner

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha

....for the petitioner

Mr. Subhamoy Bhattacharya,
Mr. Sobhan Gani

....for the State

1. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated.
2. The learned counsel for the State in opposing the prayer has submitted that he was acting as a broker for sale of soya oil and the case diary discloses documents to show that he had informed the purchasers to purchase soya oil at a reduced price. The vehicle was detained and there has been illegal transportation of soya oil to various entities and persons through the present petitioner. It is, however, submitted that all the co-accused have been granted bail.
3. Mr. Bijoy Gupta another broker has cooperated with the investigation and he has not been arrested.

4. The present petitioner has partly cooperated with the investigation but he did not appear on 24th September, 2024 for further investigation.
5. The bank account of the petitioner has been frozen in the meantime.
6. Considering the materials available in the case diary, the nature and extent of complicity of the present petitioner in the commission of the alleged offence and having regard to the fact that the petitioner has partly complied with the notice issued under Section 35(3) of the BNSS and had given an undertaking to comply with all future notices and shall cooperate in the investigation and having regard to the role ascribed to the present petitioner, we are of the view that custodial interrogation of the petitioner is not necessary.
7. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Buddhadeb Naskar** 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 482(2) of the BNSS, 2023.
8. The petitioner shall meet the Investigating Officer once in a fortnight till submission of the final report.
9. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Haldia within three weeks from date.

10. Accordingly, the application for anticipatory bail is disposed of.
11. 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.)