

07.10.2024
SL No.71
Court No.29
(SSS)
(Allowed)

CRM (A) 3639 of 2024

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023; under Section 483 of the Code of Criminal Procedure, 1973 filed in connection with Dhaniakhali Police Station Case No.201 of 2024 dated 22.07.2024 under Sections 420/406 of the Indian Penal Code and adding Sections 338/336(3)/340(2)/61 of BNSS, 2023.

And

In the matter of Bhaskar Malakar.

- Petitioner.

Mr. Gazi Faruque Hossain,
Ms. Varsha Roy, Advs.
.....For the petitioner.

Ms. Purnima Ghosh, Adv.
....For the State.

1. Heard learned Counsel for the parties.
2. Considering the materials available in the case diary and having regard to the extent and nature of the dispute and involvement of the petitioner in the commission of alleged offence and possibility of the petitioner being the victim of impersonation by Tarun Ghosh who was the seller and having regard to the fact that the petitioner could be a purchaser for value without notice, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sri Bhaskar Malakar** shall be released on bail upon

furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, of which one 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. The petitioner shall deposit the mobile with the Investigating Officer for forensic examination within 24 hours without tampering with the said mobile. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Hooghly in connection with G.R. Case No.2466 of 2024 and pray for regular bail within two weeks from date and shall meet the I.O once in a week and shall not leave District Hooghly without the leave of the jurisdictional court till submission of final report.

4. Accordingly, the application for anticipatory bail is disposed of.
5. 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.)