

22.11.2024
Sl. No.25
akd
[ALLOWED]

C. R. M. (A) 4059 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.11.2024 in connection with Uluberia Police Station Case No.391 of 2024 dated 28.09.2024 under Sections 420/406/34 of the Indian Penal Code. (G.R. Case No.2271 of 2024)

And

In Re: **Hiranmay Dey**

... .. Petitioner

Mr. Arnab Sinha
Mr. Arka Ranjan Bhattacharya
... .. for the petitioner

Ms. D. Mitra
... .. for the de-facto complainant

Ms. Anasuya Sinha .. Id. Addl. Public Prosecutor
Md. Yeases Amman Ismail
... .. for the State

1. It is submitted on behalf of the petitioner that he was the middleman in a loan transaction. Dispute at its height discloses breach of contractual obligations. Petitioner cooperated with investigation. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail and submits petitioner and co-accused induced her client to pay Rs.1,50,000/- for purchase of a land which was sold to a third party.
4. We have considered the materials on record. It is contended petitioner negotiated the sale agreement between the de-facto complainant and co-accused. Advance was paid by the de-facto complainant but the land was sold to a third party. No documentary

evidence is placed on record that money was handed over to the petitioner. Money was received by co-accused. Petitioner has cooperated with the investigation. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail however, subject to strict conditions.

5. Accordingly, we direct in the event of arrest, the petitioner, namely, **Hiranmay Dey**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall meet the Investigating Officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)