

25.11.2024
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Allowed

C.R.M. (A) No. 4073 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Jaypur Police Station Case No. 275 of 2024 dated 04.09.2024 under Sections 318(4)/316(2)/135(2)/3(5) of the BNS.

And
In Re : Sri Sanjoy Haldar petitioner

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
.....for the petitioner

Md. Adil Badr
Ms. Mamata Jana
....for the State

1. Learned Counsel for the petitioner submits he is not the principal accused. He has been falsely implicated. Co-accused, mother of the petitioner, has been granted bail. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioner and his father had entered into a conspiracy and induced innocent job seeker to pay money on the false promise of getting employment. When the complainant went to seek refund he was assaulted by the petitioner's father.

3. We have considered the materials on record. In the FIR it is alleged loan had been advanced. Subsequently a more sinister case is made out before the Magistrate alleging that

money was paid on the false promise of giving employment. Petitioner did not assault victim. His father who had assaulted is in custody. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)