

06.02.2025
16.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 272 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Duttapukur Police Station Case No. 19 of 2025 dated 06.01.2025 under Section 140(3) of BNS.

And

In Re: **Poulomi Ghosh Das.**

... .. Petitioner

Mr. Sourav Chatterjee, Sr. Adv.
Mr. Surendra Dube,
Mr. Avik Ghatak,
Mrs. Sweta Mohanty,
Ms. Afreen Begum,
Ms. Sonia Das.

.... For the petitioner

Ms. Sonali Das,
Ms. Debjani Sahu.

.... For the State

Mr. Pinak Kumar Mitra,
Ms. Sananda Bhattacharjee.

...for the de facto complainant

1. Petitioner submits she is a social worker. *De facto* complainant's husband owned a company and had borrowed heavily from members of the public. Petitioner and her mother had also made investments through the *de facto* complainant's husband. He failed to refund the money and a criminal case has been registered against him. In retaliation, petitioner has been falsely implicated in the case. Accordingly, she prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail. She contends petitioner in collusion with others had abducted the victim and demanded ransom. Victim

was recovered by police. In his statement he implicates the petitioner in the crime.

3. We have considered the materials on record. One Amitava Bose, husband of the *de facto* complainant used to run a company called *Zeradobit*. He had induced members of the public including petitioner and her mother to invest in the firm. It is alleged that the said sums had been misappropriated and a criminal case had been lodged against the said Amitava Bose. Subsequently, the present case has been registered alleging petitioner and others had abducted Amitava and had threatened him at gun point to pay Rs.1 crore. Police recovered Amitava. Co-accused had been arrested at the spot. Though these materials *prima facie* lend credence to the prosecution case that Amitava had been wrongfully detained, it is apposite to bear in mind there are prior monetary disputes between the petitioner and the said Amitava Bose. In this backdrop, whether allegation of petitioner's participation in the abduction and demand of ransom is an embellishment arising out of prior enmity requires to be assessed at the appropriate stage of the proceeding. It is also relevant to bear in mind petitioner's presence at the place of occurrence is doubtful as unlike the other accused she was not found at the place of occurrence when the victim was recovered.

4. In light of the aforesaid circumstances and as petitioner is a lady, we are of the considered view she stands on a better footing than co-accused who were arrested from the spot and may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Poulomi Ghosh Das** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. She shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)