

11.02.2025
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as
[ALLOWED]

C. R. M. (A) 428 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baguiati Police Station Case No. 678 of 2024 dated 17.11.2024 under Sections 420/406 of the Indian Penal Code.

In Re: Swapan Kr. Indra @ Swapan Kumar Indra.

... .. Petitioner

Mr. Mohinoor Rahaman,
Ms. Maria Rahaman,
Ms. Iqra Rahaman.

... .. for the Petitioner

Mr. Ranadeb Sengupta,
Mr. Subhajit Chowdhury.

... .. for the State

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Prosecution case is that petitioner had taken money for giving employment. But such accusation is significantly absent in the FIR. On the other hand, petitioner contends dispute arose out of a loan transaction. It is also contended part payment has been made out of the money advanced to the petitioner. Whether the petitioner had dishonest intention at the inception of the transaction has to be assessed in light of the aforesaid circumstances at the appropriate stage of the proceeding.
3. Custodial interrogation of the petitioner for progress of investigation is not necessary and petitioner may be granted anticipatory bail.
3. Accordingly, we direct that in the event of arrest, the petitioner viz., ***Swapan Kr. Indra @ Swapan Kumar Indra*** 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 BNSS. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)