

21.02.2025
Sl. No.52
akd
[ALLOWED]

C. R. M. (A) 612 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 17.02.2025 in connection with Rajarhat Police Station Case No.4 of 2025 dated 03.01.2025 under Sections 420/409/465/468/471/120B of the Indian Penal Code. (G.R. Case No.31 of 2025)

And

In Re: ***Chandan Roy Chowdhury***

... .. Petitioner

Mr. Phiroze Edulji .. Sr. Advocate
Ms. Sanjana Saha

... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Arijit Ganguly
Mr. Koushik Kundu

... .. for the State

1. It is submitted on behalf of the petitioner that he was the caretaker of '*M/s. Agrovat India Pvt. Ltd.*'. De-facto complainant is a Director of the company. The property in question belongs to the company and was surreptitiously transferred to his name. The transfer was annulled and the property was reverted in the name of the company. Petitioner has been falsely implicated. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits de-facto complainant is the Director of the company. He has repaid the loan and is the owner of the property. Petitioner had illegally entered his name in the mutation records which has since been corrected.

3. We have considered the materials on record. The property in question belongs to '*M/s. Agrovat India Pvt. Ltd.*'. De-facto complainant is a Director of the company. Earlier the property was transferred in his

name. But pursuant to directions of the court, it was retransferred in the name of the company. It is contended on behalf of the State the company has been dissolved. This issue requires to be agitated at the appropriate forum in accordance with law. Be that as it may, the alleged illegal conversion in the mutation records in favour of the petitioner has since been corrected.

4. Under such circumstances, we are of the opinion though custodial interrogation of the petitioner for progress of investigation is not necessary, he requires to cooperate with investigation in accordance with law.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, **Chandan Roy Chowdhury**, 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 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.)