04.03.2025
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Allowed

C.R.M. (A) No. 748 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nager Bazar Police Station Case No. 3 of 2025 dated 06.01.2025 under Sections 406/420/506 of the Indian Penal Code.

And

In Re : Amitava Bose ..... petitioner

Mr. Sabyasachi Chatterjee
Mr. Omar Faruk Gazi
.....for the petitioner

Ms. Anasuya Sinha, learned APP
Ms. Suruchi Saha
....for the State

1. Learned Counsel for the petitioner submits *de facto* complainant and her mother had made investments in a company viz. “Zaradobit”. Petitioner is no way connected with the affairs of the said company. He had taken loan from the *de facto* complainant and he has made part payment in respect of the loan. *De facto* complainant and her associates had wrongfully detained him to obtain the outstanding dues. A criminal case was registered. Accordingly, he prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioner and co-accused Deepak Ganguly and Samarjit Bagchi had induced the *de facto* complainant and her mother to enter into a franchisee

agreement with “Zaradobit” and invest money in the said company. It is also contended petitioner had induced her to hand over money on the false promise of giving placement in a private company.

3. We have considered the materials on record. In the FIR it is alleged petitioner had introduced *de facto* complainant to one Samarjit Bagchi and she made investments to the tune of Rs. 5,00,000/- in the latter’s business. De facto complainant’s mother was also induced to make investments in “Zaradobit”, a company with whom *de facto* complainant appears to have entered into a franchisee agreement. Money was also advanced to the petitioner and one Deepak Ganguly. Petitioner contends he is no way connected with the affairs of “Zaradobit”. It is also submitted he has refunded a portion of the loan advanced to him. It appears *de facto* complainant and her associates had detained the petitioner for the outstanding dues. A criminal case was registered against her. She has been granted pre-arrest bail. In this backdrop we are of the opinion multiple transactions entered by and between the *de facto* complainant and her mother with “Zaradobit” and others including the petitioner appear to partake speculative investments in ordinary course of business. Accordingly, we are inclined to grant anticipatory bail to the petitioner subject to conditions.

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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that he 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 a period of four weeks from date.

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

(Gaurang Kanth, J.) **(Joymalya Bagchi, J.)**