

06.03.2025

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Allowed

C.R.M. (A) No. 787 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with New Town Police Station Case No. 93 of 2023 dated 04.04.2023 under Sections 420/406/408 of the Indian Penal Code.

And
In Re : Anish Bilgour petitioner

Mr. Mazhar Hossain Chowdhury
Mr. Sagufta Saby Yasmin
.....for the petitioner

Ms. Anasuya Sinha, learned APP
Mr. Dipankar Paramanick
....for the State

1. Learned Counsel for the petitioner submits allegations relate to breach of contractual obligations and do not disclose ingredients of the offence. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioner has not co-operated with investigation.

3. We have considered the materials on record. Prosecution alleges petitioner is an agent of the *de facto* complainant company. He had sold a consignment of 488 fish seed bags to a third party and misappropriated the money. On the other hand, petitioner submits the amount received qua the said consignment had been credited in favour of the supplier

viz. Lucky Fish Farm. Nothing is placed on record to show the proprietor of Lucky Fish Farm has been made a conspirator in the offence. Under such circumstances we are of the opinion custodial interrogation is not necessary and petitioner may be granted anticipatory bail.

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 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.)