

23.04.2025
Court No.28
Item No.10
ssi

CRM (A) 1065 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Tehatta** P.S. Case No.**203 of 2025** dated **19.03.2025** under Sections **316(2)/316(5)/318(4)** of the BNS, 2023.

And

In the matter of: **Sutapa Tikadar** .

....Applicant/Petitioner.

Mr. Jaydeep Biswas
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaushik Ghosh

...for the petitioner.

Mr. Bibaswan Bhattacharya
Ms. Sanjida Sultana

...for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The excess money that was allegedly paid was repaid before the irregularity could be detected. Therefore, no prima facie case is made out as alleged or at all.

Learned counsel appearing on behalf of the State submits as follows. The money in question was refunded back only after an inquiry was done. However, it was only after the money was refunded back on 08.03.2025 that the FIR was lodged on 19.03.2025. The refund also happened in a wrong account. It will, therefore, be for the Panchayat Pradhan to put the fund in the proper account.

Considering the fact that soon after detection of the alleged excess payment and before the FIR could be registered, the excess payment was refunded back, I do not think that custodial interrogation of the petitioner is required in this case.

In view thereof, the prayer for anticipatory bail is allowed.

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, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall not try to influence the witnesses or threaten them and the petitioner shall cooperate with the investigation.

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

(Jay Sengupta, J.)