

22.04.2025
Court No.28
Item No.86
ssi

CRM (A) 1310 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Polba** P.S. Case No.**41 of 2025** dated **30.01.2025** under Sections **420/406/34** of the Indian Penal Code.

And

In the matter of: **Chandan Kumar** .

....Applicant/Petitioner.

Ms. Chandni Chowdhury

...for the petitioner.

Ms. Faria Hossain

Ms. Puja Goswami

...for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is one of the accused in this case. It has been alleged that a paper cup supplier had supplied paper cups to different entities. Admittedly, substantial amounts were paid. But, there was some due left to be paid. If at all, the dispute is purely civil in nature. No prima facie case is made out as would be evident from a plain reading of the First Information Report.

Learned counsel for the State submits that a prima facie case is made out. Investigation is going on. But, the petitioner is from Bihar and has not complied with a notice given to him under Section 35 (3) of the BNSS.

Considering the nature of allegations and the apparent allusion that some amount had been paid earlier, I do not think that custodial interrogation of the present 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.20,000/- 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 and shall respond to the notices issued in this regard.

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

(Jay Sengupta, J.)