

19.05.2025
Court No.28
Item No.19
tbsr
Allowed

CRM (A) 1298 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kotwali** P.S. Case No.**402 of 2024** dated **30.09.2024** under Sections **318(4)/316(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Subham Pramanik**

....Petitioner.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Ms. Upasana Banerjee
...for the petitioner.

Mr. Bibaswan Bhattacharya
Mr. Arup Sarkar
.....for the State.

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

Learned counsels appearing on behalf of the petitioner submits as follows. An absurd allegation was made by the de facto complainant that he had applied for loans on behalf of the accused/petitioner on the promise that the accused would pay the EMIs. This was all because the accused was having a low CIBIL score. There is no document to substantiate this. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the State relies on the case diary and submits that after this Court passed a direction the petitioner complied with the notice issued to him and met the Investigating Officer. His statement has been recorded.

Considering the nature of allegations and the fact that the petitioner has complied with the notice issued by the police, I do not think that custodial interrogation of the petitioner is required in this case.

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 condition that the petitioner shall cooperate with investigation and shall meet the I.O. as and when required and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)