

28.04.2025  
Court No.28  
Item No.42  
tbsr  
Allowed

**CRM (A) 1331 of 2025**

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mecheda** P.S. Case No.1 of 2025 dated **21.02.2025** under Section **3(a)** of the Railway Property (Unlawful Possession) Act, 2012.

And

In the matter of: **Ganesh Chandra Fadikar**

....Petitioner.

Mr. Arnab Chatterjee  
Ms. Dhanasree Biswas  
Mr. Abhinaba Mukherjee  
Ms. Poulami Bose  
...for the petitioner.

Mr. Krishnendu Bhattacharya  
Mr. Uttam Basak  
.....for the UOI.

Certified copy filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The articles seized from the petitioner's shop during his absence did not belong to the Railways. They are made up of copper and did not match with the articles that could have been manufactured by using such copper sheets.

Learned counsel appearing on behalf of the UOI relies on the statements of witnesses and the seizure list. The petitioner allegedly purchased 20 pieces of stolen sheets of copper.

It appears that the maximum imprisonment went for the alleged offences is up to five years.

In view of the fact that prime accused has been arrested and articles have been recovered and considering the alleged role ascribed

to the present petitioner, I do not think custodial interrogation would be 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 co-operate with investigation and shall meet the Investigating Officer once a fortnight till the submission of report in final form 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.)**