

02.05.2025
Sl. No.32
Ct. 28
NB

C.R.M. (A) 1425 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mayureswar P.S. Case No.52 of 2025 dated 14.04.2025 under Sections 316(5)/319(2)/318(4)/336(3)/340(2) of the BNS Act, 2023.

And

In the matter of : Bhubaneswar Mondal ... petitioner

Mr. Kaushik Choudhury.
...for the petitioner.

Ms. Sreyashee Biswas,
Mr. Rajesh Jana.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a sub-postmaster at the post office in question. First, an FIR was lodged in 2023 against a colleague of the petitioner. For a particular period i.e. 23.11.2023 to 20.12.2023, the petitioner had taken a leave as his wife had passed away. During this period, the said colleague might have misutilised his identity documents and done some mischief. The petitioner cannot be held responsible for the same. The said colleague was granted bail subsequently. After about one year two months from the said FIR, a second FIR has been registered now against the present petitioner alleging that the petitioner had assisted the earlier accused in his misdeeds.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary. She submits that there are statements of witnesses and victims who

have stated that money was taken out from their account in cash by using cheque leafs which are still there with them. The total amount defalcated could amount to two crores of rupees. The time period in which the offences took place was after December, 2023 by which time the petitioner had resumed his service.

Considering the incriminating materials available in the case diary, I am not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail being **CRM(A) 1425 of 2025** is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)