

30.06.2025
Sl. No.15
Ct. 28
NB

C.R.M. (A) 1452 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.

And

In the matter of : Ajay Kumar Das ... petitioner

Mr. Sekhar Bose Id.Sr. Adv.,
Mr. Amal Kumar Banerjee.
...for the petitioner.

Ms. Zareen N. Khan,
Ms. Suveni Banerjee.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been implicated in this case as a complete afterthought. As would be evident from a plain reading of the First Information Report, he is neither alleged to be the prime accused nor seizure of any incriminating material was made from him. He may be granted anticipatory bail on any condition.

Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. The de facto complainant had allegedly invested a sum through one of the co-accused who was to return a sum of rupees Rs. 1.01 crores to him on a particular day. After the money was returned, the petitioner was coming back taking NH2. His car was intercepted and two persons claiming to be crime branch officers along with others took away the money from him. So far as the present petitioner is concerned, the mobile phone

call tower location shows that he was present at the place where the money was returned as also at the place where the money was taken away by the said officers. The de facto complainant has also made allegations against him in a subsequent statement as contained in page 57 of the case diary.

Considering the incriminating materials available in the case diary and the fact that the investigation is still going on, I do not consider this to be a fit case to grant anticipatory bail of the petitioner.

The application for anticipatory bail being **CRM (A) 1452 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.)