

06.05.2025
Court No.28
Item No.26
tbsr
Allowed

CRM (A) 1462 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 **Kolaghat** P.S. Case No.**97 of 2025** dated **11.03.2025** under Sections **471/468/420/406** of the Indian Penal Code, 1860.

And

In the matter of: **Shibaprasad Mondal**

....Petitioner.

Mr. Sabir Ahmed
Mr. T. Ahmed
Mr. Dhiman Banerjee
Mr. Quazi Ezaz Ahmed
....for the petitioner.

Mr. Rudradipta Nandi, Id APP
Mr. Tirupati Mukherjee
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an employee of a school. He developed a friendship with the de facto complainant. As he required some money for a period of time, he took accommodation loan from the de facto complainant in 2021. Some loan was left unpaid. Over this, the de facto complainant lodged an FIR in 2025 making absurd allegations that the money was taken for giving job.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on fake call letters of 2016 and submits that by taking money in 2021, the petitioner had promised giving job to the son of the de facto complainant. There are receipts for taking money.

From the FIR, it appears that the prime grievance of the petitioner is about recovery of money which was allegedly agreed to at the intervention of villagers. He admits that he had given the money in 2021, but the Investigating Officer collected call letters for the year 2016.

Considering the materials available in the case diary, 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 the investigation and shall not threaten or intimidate witnesses and shall meet the IO as and when required.

Let the investigation of the case be further continued under the direct supervision of the SP of Purba Medinipur.

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.)