

05.05.2025
Court No.28
Item No.59
tbsr
Allowed

CRM (A) 1461 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kandi** P.S. Case No.**62 of 2025** dated **12.02.2025** under Sections **318(4)/316(5)/61(2)** of the Bharatiya Nyaya Sanhita 2023 and 7A/13 of the Prevention of Corruption Act, 2018.

And

In the matter of: **Baidya Nath Ghosh**

....Petitioner.

Mr. Pratip Kr. Chatterjee
Mr. Asish Deb
Mr. Ranjit Kr. Mandal
Mr. T. Mishra
Ms. Maitrayee Chatterjee
...for the petitioner.

Mr. Madhusudan Sur, Id. APP
Ms. Suruchi Saha
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a postal employee. It is alleged by another employee that the prime accused had asked for a bribe through the present petitioner for getting the de facto complainant a leave for six months.

Learned counsel appearing on behalf of the State relies on the FIR and the statement of victim's father, among other things. There is no independent eye witness to the same or any trap laid in this regard.

In view of the nature of allegations and 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.

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.)