

C.R.M. (A) 1518 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Posta Police Station Case No.7 of 2025 dated 10.01.2025 under Sections 61(2)/318(4)/316(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023;

And

In Re: **Amiyo Dey @ Amiya Dey**

... Petitioner

Mr. Dhananjay Banerjee, Adv.
Mr. Proloy Hazra, Adv.

...for the Petitioner

Mr. Soumik Ganguly, Adv.
Mr. Dipankar Paramanick, Adv.

...for the State

Mr. Amit Ranjan Patil, Adv.
Mr. Muhammad Jawwad, Adv.
Mr. M. Islam, Adv.

...for Defacto Complainant

Learned counsel appearing on behalf of the petitioner submits as follows. It has been alleged by the defacto complainant that during course of business, goods worth Rs. 7 lakhs were withheld by the petitioner and payment was not made for the same. However, petitioner relies on copies of certain bills that would evince that the sum was paid.

The same is disputed by learned counsel appearing on behalf of the defacto complainant.

Learned counsel appearing on behalf of the State relies on case diary and submits that investigation is going.

Considering the predominantly civil flavour of the allegations contained in the FIR and 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 meet the I.O. as and when required 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.)