

01/07/2025

D/L 23

Ct. No.28

S.Kundu

Rejected

C.R.M.(A) 1627 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Kalyani police station case no. 975 of 2024 dated 27.11.2024 under Sections 318(4)/3(5) of BNS.

In the matter of: Subhankar Ghosh @ Babai
... Petitioner

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
Mr. Husen Mustafi
...for the petitioner.

Mr. Rana Mukherjee
Mr. Anindya Sundor Chatterjee
...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner runs a recognised institute for imparting "*Gramin Siksha*". The de-facto complainant paid a sum for getting admission in it. Reliance is placed on documents pertaining to such admission. Thereafter, the de-facto complainant did not want to pursue the course and wanted return of the money, which was not permissible.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary and submits as follows. The documents relied on behalf of the petitioner regarding admission are unilateral ones. It contains no signature of the victim or the candidate. There are sufficient materials in the case diary to show that the petitioner had taken money amounting

to Rs.2 Lakhs in his personal account with a promise to give de-facto complainant's sister a job at the Kalyani AIIMS. There is also a statement of another victim who was similarly duped at page 38 of the case diary.

3. Considering the incriminating materials available in the case diary and the fact that investigation is going on, I am not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)