

30/06/2025

D/L 24

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1688 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 English Bazar police station case no. 776/2024 dated 15.6.2024 under section 406/420/34 of the IPC.

In the matter of: Sultana Bibi

... Petitioner

Ms. Salma S. Shah

Mr. Sudipto Panda

Mr. Sami Hossain

...for the petitioner.

Mr. Bibaswan Bhattacharyya

Ms. Ankita Paul

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. There was a civil litigation pending over the property in question. Although, the transfer of property was done in August, 2022, a subsequent permission was granted by the Board of the Gour Banga Medical College and Hospital Private Limited by its resolution dated 16.8.2023. Moreover, the seller provided another collateral security to the Bank to secure the loan. There is no bar in selling of property on as where is basis, even if the same is mortgaged with the bank in respect of a loan. Other Directors of the college were granted anticipatory bail. The petitioner has also complied with the notice issued by the police as per direction of this Court.

2. Report filed on behalf of the State is taken on record.
3. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that strangely the permission given by the Board resolution was preceded by the sale in question.
4. Considering the fact that the petitioner has cooperated with the investigation and the Investigating Agency has already seized most of the necessary and relevant documents, I do not consider that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
5. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall cooperate with the investigation and the petitioner shall not threaten or intimidate witnesses.
6. Accordingly, the application for anticipatory bail is allowed.

(Jay Sengupta, J.)