

23.05.2025
Court No.28
Item No.12
tbsr
Allowed

CRM (A) 1727 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Burdwan** P.S. Case No.**369 of 2025** dated **4.04.2025** under Sections **318(4)/336(3)/338/340(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Sk. Sukhchand**

....Petitioner.

Mr. Subhabrata Chowdhury
Ms. Tripti Pandey
...for the petitioner.

Ms. Puja Goswami
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was participating in a tender process. As the concerned BDO did not accept the petitioner's bid, he made a complaint before the concerned DM. In retaliation the BDO lodged an FIR that in an earlier tender process in which the petitioner did not succeed, the petitioner used a document, which was allegedly forged.

Learned counsel appearing on behalf of the State relies on the case diary and points to the report of the Panchayat Samity, which stated that the document was not issued by them. However, further investigation is required to find out whether the signature was actually forged or not.

In view of the nature of allegations, the prior complaint filed by the petitioner and the fact that the relevant document has already been seized, I do not think that custodial interrogation of the

petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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 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.)