

24.07.2025
Court No.28
Item No.19
ssi

CRM (A) 1732 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Asansol South PS Case No.18 dated **13.01.2024** under Sections **467/471/34** of the Indian Penal Code.

And

In the matter of: **Rajat Kumar Ram.**

....Applicant/Petitioner.

Mr. Anirban Banerjee
Mr. Sayantan Banerjee

...for the petitioner

Ms. Rituparna Ghosh
Ms. Trisha Rakshit

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was issued a Scheduled Caste certificate on 27.09.2023. He used this certificate for applying for NEET (UG) examination and submitted the application form on 10.11.2023. It was only after this, on 28.12.2023, that the said certificate was cancelled. There is no case of fraud made out against the petitioner.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and points to the statements of the witnesses and the documents present in the case diary including the inquiry report dated 27.09.2023 contained at page 45 of the case diary.

From a perusal of the inquiry report dated 27.09.2023, it appears that the petitioner's parents could not prove that their forefathers were residing in West Bengal since 1950. Moreover, there was no

satisfactory explanation for the change of the surname of the family from Roy to Harijan to Ram for the sub-caste claimed.

Therefore, it is doubtful whether a positive case of commission of fraud or forgery was made out in the said report.

Considering the above materials available in the case diary, 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.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

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 conditions that the petitioner shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioner shall meet the Investigating Officer as and when required.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)