

28.05.2025
Sl. No.2
akd/AP
[ALLOWED]

C. R. M. (A) 1748 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 16.05.2025 in connection with Chinsurah Police Station Case No.05 of 2025 dated 08.01.2025 under Section 8 of the Prevention of Corruption Act, 1988.

And

In Re: ***Ashim Kumar Dutta & Ors.***

... .. Petitioners

Mr. Biplop Mitra

Mr. Diptendu Narayan Banerjee

... .. for the petitioners

Mr. Suman De

Ms. Sana Naaz

... .. for the State

1. On apprehension of arrest in connection with Chinsurah Police Station Case No.05 of 2025 dated 08.01.2025 under Section 8 of the Prevention of Corruption Act, 1988, the present petitioners have preferred this application for anticipatory bail.

2. Learned Counsel for the petitioners submits that they have already complied with the notice under Section 35(3) of the Bharatiya Nyaya Suraksha Sanhita, 2023. An order of this court in WPA 6080 of 2025 by a coordinate Bench dated 15.05.2025 is also passed in favour of the petitioners. He submits that the present petitioners are not directly involved in the alleged offence. Accordingly, petitioners pray for anticipatory bail under any condition.

3. Learned Advocate for the State raised objection against the bail prayer. He submits that the instant complaint was lodged as per direction of the departmental head of District Consumer Disputes Redressal Forum. An allegation against the present petitioners has been substantially proved by the statements of available witnesses

recorded by the Investigating Officer during the course of investigation. At this juncture, if the present petitioners are enlarged on bail, the present investigation will be hampered.

4. Having considered the submissions of the learned counsel for the parties and considering the materials on record and also considering the present fact that the petitioners have already complied with the notice under Section 35(3) of the Bharatiya Nyaya Suraksha Sanhita, 2023, it appears that custodial interrogation of the present petitioners is not necessary for the purpose of investigation. Hence, the present petitioners deserve a favourable order.

5. Accordingly, it is directed that in the event of arrest, the petitioners, namely, **(1) Ashim Kumar Dutta, (2) Amiya Dutta & (3) Smt. Sulekha Dutta**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two registered sureties of like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Hooghly at Chinsurah and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioners shall meet the Investigating Officer once in a week until further orders.

6. Case diary be returned immediately.

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

(Subhendu Samanta, J.)