

01.07.2025
Court No.28
Item No.37
ssi

CRM (A) 1783 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Shyampukur PS Case No. **123 of 2021** dated **11.11.2021** under Sections **406/419/420/323/341/506/120B** of the Penal Code.

And

In the matter of: **Arnab Chatterjee.**

....Applicant/Petitioner.

Mr. Gunjan Kumar Singh
Mr. Prakash Mishra

...for the petitioner

Ms. Anasuya Sinha, Ld. APP
Mr. Dattadreya Dutta

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. However, without prejudice, he has returned back Rs. 14.5 lakhs through bank and 6 lakhs in cash out of a total sum of Rs. 22.8 lakhs that was alleged to have been cheated.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the case diary and submits that there is no clear indication whether payment through banks had any connection with the dispute at hands. Cash payment requires strict proof. A prima facie case is made out against the petitioner. On the fifth attempt, the petitioner responded to the notice given by the police.

Considering the fact that at least some amount of money was paid by the accused to the de facto complainant, without prejudice, the fact that the petitioner complied with the notice issued by the

police authorities and the fact that charge sheet has been submitted, 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 conditions that the petitioner shall not threaten or intimidate witnesses.

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

(Jay Sengupta, J.)