

AD 41
August 20, 2025
Ct. 28
SG

CRM(A) 1864 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Narkeldanga P.S. Case No.221 dated 04.06.2022 under Sections 420/406/323/114 of the IPC, 1860.

And

In the matter of:

Dilip Kumar Prasad

... petitioner

Mr. Syed Nasim Aejaaz

... for the petitioner

Mr. Ranadeb Sengupta

Mr. Asraf Mandal

... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He is in no way connected with the alleged offences.

Learned counsel for the State submits that the allegation against the petitioner is that he was a colleague of the de facto complainant. On good faith, the de facto complainant handed over self cheques to him for helping in the disbursement of retiral benefits, but the accused took away the retiral benefits by using those cheques. It appears from the case diary and report that on different dates from 2019 to 2022 money was taken out from the bank account of the de facto complainant by using self cheques issued by the said de facto complainant. The cheques contained signature of the de facto complainant on them as well as on the

back side. The bank manager said that the disbursement was done from the account as per procedure.

It is surprising, indeed, that first time the cheque leaf of the de facto complainant was allegedly misused in 2019, no complaint was given. The subsequent cheques went on to be similarly encashed till 2023.

Considering the nature of allegations and materials available in the case diary, I do not find that custodial interrogation of the petitioner would be 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)

