

22/07/2025

D/L 35

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1881 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Burwan P.S. case no. 127 of 2025 dated 28.3.2025 under Sections 420/406/34 of the IPC.

In the matter of: Bhabananda Ghosh

... Petitioner

Ms. Minoti Gomes

Md. Hafiz Ali

...for the petitioner.

Ms. Rituparna De Ghosh

Mr. Atanu Ghosh

...for the State.

1. Heard the learned counsels for the parties.
2. Perused the case diary.
3. It appears that the prime allegation against the petitioner is that in collusion with the certain officials, he was granted subsidy at the very inception, although the same was to be granted after four years of running the unit. The period of four years have nearly passed. Without prejudice to the alleged criminality, it is obvious that the petitioner would at least be liable to return the interest that he enjoyed for an early payment.
4. Be that as it may, the petitioner seems to have complied with the notice issued by the I.O.
5. In view of the above, I do not find that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall cooperate with the investigation and the petitioner shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
7. Accordingly, the application for anticipatory bail is allowed.
8. Personal appearance of the Investigating Officer is noted and is dispensed with.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)