

09.07.2025
Court No.28
Item No.34
ssi

CRM (A) 1957 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Bidhannagar (South) PS Case No.**56 of 2025** dated **15.03.2025** under Sections **316(2)/318(4)** of the BNS, 2023.

And

In the matter of: **Anil Agarwal @ Keshav Agarwal**

....Applicant/Petitioner.

Mr. Rachit Lakhmani
Mr. Karan Dudhwewala
Mr. Lokesh Sharma

...for the petitioner

Ms. Amita Gaur, Ld. Sr. Govt. Adv.
Mr. Nirupam Dhali

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. It was alleged in the FIR that in 2016, the petitioner had taken a sum of Rs. 12 lakhs from the de facto complainant and in 2017, a sum of Rs.60 lakhs in cash. It is vehemently denied that any sum of Rs. 60 lakhs was ever taken from the de facto complainant. In fact, the petitioner had been paying interest for a substantial period on the sum of Rs. 12 lakhs. He has complied with the notices issued under Section 35 (3) of the BNSS.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail, relies on the case diary and submits that although there are bank details for the payment of Rs. 12 lakhs, for the sum of Rs. 60 lakhs there is no document apart from stray transactions amounting into a few thousands.

Considering the nature of allegations, the materials available in the case diary and the fact that the petitioner has substantially complied with notices issued under Section 35 (3) of the BNSS, 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 and shall co-operate with investigation. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

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

(Jay Sengupta, J.)