

AD 54
July 09, 2025
Ct. 28
SG

Allowed

CRM(A) 2007 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gariahat P.S. Case No.177 of 2024 dated 17.10.2024 under Sections 420/120B/506(ii) of the IPC.

And

In the matter of:

Himadri Biswas

... petitioner

Mr. Abhinaba Dan

... for the petitioner

Ms. Faria Hossain, Id. APP

Ms. Mausumi Sarkar

... for the State

Learned counsel for the petitioner submits that the petitioner is a broker of immovable property. He had initiated a deal by which the de facto complainant purchased a property from a developer company. He has been falsely implicated in this case. The petitioner had been granted bail by an order dated 09.01.2024 passed in CRM(A) 4836 of 2023 on similar allegations made by another de facto complainant.

Learned counsel for the State relies on the case diary and opposes the prayer for anticipatory bail and submits as follows. The petitioner is also an employee of the concern. Several notices were given under Section 41A of the Cr.P.C. at the address of the company, but the petitioner did not respond.

It does not appear that the investigating agency had prayed for proclamation against the petitioner.

Considering the nature of allegations, the alleged role ascribed to the present petitioner and the fact that the petitioner was granted anticipatory bail by this Court on similar allegations, 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 week 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.)

