

17.07.2025
Ct.No.25
Sl. No.48
Mujahid
(Allowed)

CRM (A) 2134 of 2025

In Re: An application for anticipatory bail under Section 482 of the B.N.S.S. filed on **19.06.2025** in connection with **Berhampore** P.S. Case No.**1971 of 2024** dated **03.12.2024** under Section **303 (2)**of B.N.S., 2023.

And

In the matter of: **Suroj Sk @ Suraj Sk**

... Petitioner.

Mr. Debanshu Ghorai,
Mr. Anisur Rahman

...for the petitioner

Mr. Pravas Bhattacharjee,
Mr. Tirupati Mukherjee

...for the State

1. Learned counsel for the petitioner states that even as per the case of the prosecution complainant herself had given gold chain to the petitioner. Learned counsel, therefore, submits that no offence of theft is made out.

2. Learned counsel for the State has opposed the bail application on the ground that the petitioner took the gold chain from the complainant on the pretext of facilitating her treatment and, therefore, did not come back.

3. Perusal of the memo being presented by the State indicates that allegedly on 3rd December, 2024, the petitioner took gold neck chain and Aadhaar card from complainant at hospital main gate for treatment and, therefore, did not return back. The charge-sheet has already been filed.

4. Taking into account, in the event of arrest, the petitioner shall be released on bail upon furnishing a personal 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 the conditions as laid down under Section 438(2) of the Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall not threaten or intimidate witnesses. The petitioner shall stay outside the jurisdiction of Berhampore police station for a period of four months from this date, except for attending court or meeting the Investigating Officer.

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

6. All parties shall act on the basis of the server copy of this order.

(Dinesh Kumar Sharma, J.)