

37. 04.07.2025
Court
No. 25 (Tanmoy)

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 878 of 2025

In Re: - An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Nagerbazar** Police Station Case No. **125** dated **16.06.2025** under Sections **3(5)/316(2)/318(4)/319(2)/61(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: - **AMAN KUMAR SAO AND ORS.**

...petitioners.

Mr. Sourav Chatterjee, Sr. Adv.
Mr. Satadru Lahiri
Mr. Vikash Singh
Mr. Kanchan Jaju

...for the petitioners.

Mr. Saryati Dutta
Ms. Debadrita Mondal

...for State.

1. Learned Senior Counsel for the petitioners states that at the best the case of the prosecution is that the petitioners represented themselves to be employees of the Election Commission of India and while conducting survey, collected some personal data as well as information from the other residents of the locality of the *de facto* complainant. The *de facto* complainant reported the matter to the Police as their conduct was found suspicious. The petitioners were arrested on 16th of June, 2025 and since then they are in custody. They pray for bail.
2. Learned State Counsel opposes the bail prayer and submits that upon enquiry being made, the Electoral Registration

Officer has informed that the Election Commission of India has not engaged any company to conduct survey at field level and collect any data from the company.

3. The Court has considered the submissions. The petitioners' case is that they were conducting survey being employees of the company "Axis My India". At the best the case of the prosecution can be that the petitioners have impersonated themselves. The entire evidence is documentary in nature.
4. In view of the above, the Court considers that no fruitful purpose would be served by keeping the petitioners in custody any further. Hence, the petitioners are admitted to bail.
5. Accordingly, the petitioners, namely, **1. Aman Kumar Sao** **2. Mukesh Kumar**, **3. Arpan Bhakta**, **4. Biplab Das** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24-Parganas, subject to condition that the petitioners shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioners, while on bail, shall co-operate

with the investigation and shall appear before the Investigating Officer of this case, as and when called for. The petitioners shall also furnish their respective mobile phone number on which they will remain available with the learned Trial Court as also the Investigating Officer. The petitioners will not change their respective mobile phone number or the residential address without prior information to the learned Trial Court and the Investigating Officer.

6. In the event the petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.
7. The application for bail being CRM (M) 878 of 2025 is accordingly disposed of.
8. All concerned parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)