

AD 50
July 18, 2025
Ct. 28
SG

Allowed

CRM(A) 2235 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Halisahar P.S. Case No.240 of 2024 dated 12.09.2024 under Sections 338/336(3)/340(2)/341(1)/318(2)/61(2) of the BNS.

And

In the matter of:

Ramanjit Singh

... petitioner

Mr. Rajdeep Mazumder, Sr. Adv.
Mr. Pritam Roy
Ms. Triparna Roy

... for the petitioner

Mr. Suman De
Mr. Kunal Ganguly

... for the State

Mr. Soham Kumar Roy
Mr. Subhajit Das

... for the de facto complainant

Learned senior counsel representing the petitioner submits that earlier the petitioner and his father had approached this Court for quashing of the proceedings. By an order dated 19.05.2025 passed in CRR 1174 of 2025, the same was dismissed with liberty granted to the petitioner to take up all the points available to them before the appropriate forum. After this, the father of the petitioner was arrested and he was granted bail after some time. It is germane to mention that the alleged fraud in question concerns a sanctioned plan obtained by producing

forged/fake documents. The prayer for such sanction was not made by the present petitioner, but purportedly by the father of the petitioner as would be evident from paragraph no. 3 of the FIR dated 12.09.2024. The illegal portion of the building has been demolished.

Learned counsel for the State strongly opposes the prayer for anticipatory bail and submits that the petitioner is a beneficiary of the fraud. The revised sanctioned plan was not recovered.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that in the event the anticipatory bail was granted, some stringent conditions ought to be imposed.

Considering the materials available in the case diary, the fact that the principal accused was arrested and thereafter, granted bail and the alleged role ascribed to the present petitioner, I do not think that custodial interrogation of the petitioner is required in this case.

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 fortnight 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.)