

AD 35
August 25, 2025
Ct. 28
SG

CRM(A) 2311 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore P.S. Case No.135 of 2025 dated 18.01.2025 under Sections 406/420 of the IPC, 1860.

And

In the matter of:

Samar Karmakar

... petitioner

Mr. Kallol Mondal, Sr. Adv.

Mr. Jamal Hossain

Mr. Krishan Ray

Mr. Sreyash Kumar Singh

... for the petitioner

Mr. Ranabit Roychowdhury

Mr. Mujibar Ali Naskar

... for the State

Learned senior counsel representing the petitioner submits that the petitioner is a reputed valuer of jewellery. He has acted as a valuer in as many as 3000 cases of disbursement of bank loans. No allegation has been levelled against him earlier. In the present case, the petitioner had issued a certificate after checking the gold in presence of all. After that a seal was put and the gold was taken custody of by the bank authorities. However, when the seal was opened, the gold was allegedly found to be fake. The entire procedure was conducted in the absence of the present petitioner. The petitioner has cooperated with the investigation as per direction of this Court.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and the subsequent statement of the petitioner recorded by the police authorities and submits that there is a statement of a co-accused implicating the petitioner. The petitioner has cooperated with the investigation by meeting the investigating officer as per direction of this Court.

Considering the materials available in the case diary and the fact that the petitioner had acted as a valuer in several other cases of disbursement of loans and bulk of evidence have been collected by the investigating agency, I do not find that custodial interrogation of the petitioner would be required in this case and 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 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.)