

04/08/2025

M/L 47

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2432 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Shalimar GRPS case no. 30/2025 dated 27.5.2025 under sections 303(2)/317(2) of the BNS.

In the matter of: Shashi Kumar Gupta

... Petitioner

Mr. Angshuman Chakraborty

Mr. S. S. Saha

...for the petitioner.

Mr. Sanjoy Bardhan

Mr. Parvej Anam

...for the State.

1. Heard the learned counsels for the parties.
2. Perused the case diary.
3. It is the case of the petitioner that he is the owner of the gold in question. He has a registration certificate for running a Jewellery shop. In any event, he has been implicated in this case only with the aid of the statement of a co-accused.
4. Learned counsel appearing for the State submits that the notice issued by the police was not complied with.
5. Considering the materials available in the case diary and the fact that the only thing connecting the petitioner is the statement of a co-accused and his own application for return of goods. I do not think that custodial interrogation of the petitioner is required in this case, I am inclined to grant anticipatory bail to the petitioner.

6. In the event of arrest, the petitioner shall be released on bail upon furnishing a 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 further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)