

AD 20
September 10, 2025
Ct. 28
SG

CRM(A) 2594 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Basudebpur P.S. Case No.176 of 2025 dated 13.06.2025 under Sections 409/417/420/465/468/469/471/120B of the IPC, 1860.

And

In the matter of:

*Sankar Singha Roy @ Sankar Singha Ray @ Sankar
Singh Roy @ Sankar Saha Roy and others
... petitioners*

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

... for the petitioners

Mr. Bibaswan Bhattacharya
Ms. Mamata Jana

... for the State

Mr. D.N. Chatterjee
Mr. B. Sil

... for the de facto complainant

Learned counsel for the petitioners submits that the petitioners are the son, the son-in-law and the daughter of one Nimai Singha Roy who had allegedly worked at Ichhapur Metal and Steel Factory using the name of his brother Kartick Chandra Singha Roy. He passed away. After this, the present petitioners tried to obtain death certificate and the like of their father/father-in-law in the said name of Kartick Chandra Singha Roy. First, if at all, these should have been pointed out by the said Kartick Chandra Singha Roy at an earlier date. Upon instructions, it is submitted that the said Kartick Chandra Singha Roy was taking a cut

from the salary that the said Nimai Chandra Singha Roy used to get from work using his name.

Such submissions are strongly refuted by the learned counsel for the de facto complainant. He submits that anticipatory bail of the present petitioners should be rejected.

Learned counsel for the State files a report, which is taken on record, relies on the case diary, opposes the prayer for anticipatory bail and submits that a fake cremation certificate has already been obtained by the petitioners in the name of the deceased.

It is, indeed, a very peculiar case where the deceased had been working under a name which was of his brother. However, it does not appear that he got any extra benefit by using such name. It also does not appear that by getting a cremation certificate issued in such name, the petitioners have obtained any undue benefit, as of now.

Considering the materials available in the case diary, the alleged role ascribed to the present petitioners and the fact that bulk of the incriminating materials have already been seized, I do not find that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 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 petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Personal appearance of the investigating officer is noted and dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)