

11.08.2025
Item No.9
Ct. No. 446
KS

C.R.M. (A) 2715 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Burdwan** Police Station Case No.599 of 2025 dated 02.06.2025 under Sections 318 (4)/ 322/ 336(3)/ 338/ 61(2)/ 3(5) of the B.N.S. 2023.

And

In the matter of: **Pramir Pande @ Promir Panday**

..... Petitioner

Mr. Debopriya Samanta
Mr. Samrat Ghosh
Mr. Suhotxo Palit
Mr. Akash Kumar Chakraborty
Ms. Riya Saha

....For the Petitioner

Mr. Madhusudhan Sur, Ld. A.P.P.
Mr. Amanul Islam

....For the State

1. Heard the submission of both the learned advocates appearing on behalf of the petitioner as well as for the prosecution.
2. Perused the Case Diary.
3. At the outset, it is strongly submitted on behalf of the petitioner that the petitioner is a mere witness to the said sale deed, where after satisfying with all formalities, the A.D.S.R. allowed the registration. The petitioner has also annexed one affidavit, which is appearing at page 40 of the petition shows that before the learned Executive Magistrate at Purba Bardhaman, the affidavit was affirmed, which reveals that one, Biswanath Ghosh son of Sudhir Ghosh and Biswanath Ghosh son of Sudhir Ghosh is the same and identical person.
4. Learned Prosecution raises vehement objection and draws the attention of this Court to the death certificate as revealed in course of investigation, which shows that the said, Sudhir Ghosh has expired long back.
5. Having heard the learned counsel on behalf of the parties and on a careful perusal of the materials on record from the Case Diary and the various

statements recorded under Section 180 of the B.N.S.S. as well as the complaint, which is lodged by the de facto complainant alleged to be the son of late Biswanath Ghosh under Section 175(3) of the B.N.S.S., this Court is of the view that even though *prima facie* some incriminating material exists against the present petitioner, who was a witness to the said deed but, custodial interrogation may not be necessary and accordingly, this Court is inclined to allow the prayer subject to the condition to be fulfilled by the present petitioner, who is a permanent resident of Purba Burdwan.

6. Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), 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 482(2) of the B.N.S.S. and on further condition that he will not leave the jurisdiction of the local police station without the leave of the Court and shall appear before the Investigating Officer once in a week and also as and when required and the petitioner shall cooperate with the investigation and will not tamper with evidence and in default any of the above, the prosecution will be at liberty to pray for cancellation of the bail.
7. Thus, the application for anticipatory bail is allowed.
8. Accordingly, the application being, **C.R.M. (A) 2715 of 2025** stands disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
10. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(CHAITALI CHATTERJEE (DAS), J.)