

11.08.2025
Item No.31
Ct. No. 446
KS

C.R.M. (A) 2754 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chinsurah** Police Station Case No.266 of 2025 dated 12.07.2025 under Section 318(4) / 316(2)/ 351(2)/ 3(5) of the B.N.S. 2023 corresponding to G.R. No.2258 of 2025.

And

In the matter of: **Ashim Kumar Dutta**

..... Petitioner

Mr. Kunal Ganguly

Mr. Kaustav Banerjee

....For the Petitioner

Ms. Faria Hossain, Ld. A.P.P.

Ms. Sudeshna Das

....For the State

Ms. Ameena Kahar

.....For the de facto complainant

1. Heard the submission of both the learned advocates appearing on behalf of the petitioner as well as for the prosecution.
2. Perused the materials on record from the Case Diary.
3. On a careful perusal of the entire facts and circumstances and the materials on record as well as the statements of the witnesses recorded under Section 180 of the B.N.S.S. and the receipt shows at page 37 of the Case Diary, which prima facie reveals that admittedly, the present petitioner received part payment towards the entire consideration amount, but, subsequently the property has been sold out. Be that as it may, a title suit is pending between the parties and the dispute is basically of civil nature and, therefore, the civil court is the appropriate authority to ascertain the said fact at the appropriate time.
4. This court also records the fact that the present petitioner is involved in two other cases of similar nature of different types, which shows the criminal antecedent to some extent in respect of the petitioner.

5. In view of the above facts and circumstances, as the civil suit is pending between the parties, the prayer of the present petitioner stands allowed.
6. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner subject to fulfillment of certain conditions other than compliance of the conditions laid down in Section 482(2) of the B.N.S.S.
7. Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.25,000/- (Rupees Twenty Five 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 the petitioner shall not leave the jurisdiction of the local police station without the leave of the learned Court and not to threaten the witnesses or the de facto complainant or try to tamper with the evidence and in case of violation of any such provision, the prosecution will be at liberty to pray for cancellation of the bail without further reference to this Court.
8. Thus, the application for anticipatory bail is allowed.
9. Accordingly, the application being, **C.R.M. (A) 2754 of 2025** stands disposed of.
10. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
11. 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.)