

AD 28
September 16, 2025
Ct. 28
SG

reject

CRM(A) 2789 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bidhannagar North P.S. Case No.72 of 2025 dated 08.07.2025 under Sections 316(2)/318(4)/3(5) of the BNS, 2023.

And

In the matter of:

Satish Mishra and another

... petitioners

Mr. Birendra Kumar Jha

Mr. Manish Patra

Mr. Anish Das

... for the petitioners

Mr. Bitasok Banerjee

Mr. Dipankar Mahata

... for the State

Ms. Subhasree Patel

Mr. Sourav Kumar Mukherjee

Ms. Falguni Jana

Ms. Sahana Pal

Ms. Shruti Mukhopadhyay

Mr. S. Mitra

... for the de facto complainant

Learned counsel for the petitioners submits that the petitioners are the partners in a firm. The petitioner No.1 is the guarantor of the loan in question. The petitioner No.2 is a borrower. Collateral security belonged to the father of another partner. It is alleged that during subsistence of the loan, the collateral security was sold away by the owner. The petitioners are in no way responsible for the offence. The dispute is purely civil in nature.

Learned counsel for the de facto complainant submits that not only was the collateral security sold away by the father of the other partner. But, the money was also taken

into the partnership firm and then disbursed to third parties as payments.

Learned counsel for the State relies on the materials available in the case diary and submits that the petitioners did not comply the notice.

Considering the above and the other incriminating materials available in the case diary and the fact that the petitioners have not responded to the notice issued by the investigating officer, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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

(Jay Sengupta, J.)