

06.11.2025
Sl. No.09
Ct. 28
NB

CRM (A) 2893 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khayrasole PS Case No.120/25 dated June 20, 2025 under Sections 140(2)/304(2)/111 with added Section 317(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Manabendra Ghosh ... petitioner

Mr. Kunal Ganguly
...for the petitioner.

Mr. Sandip Chakraborty,
Mr. Debanshu Ghorai.
...for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the car in question. He had given a power of attorney to the driver/accused to run the car on hire. Subsequently, it was learnt that the de facto complainant's husband was abducted. He was released within an hour. A case was started and some accused were arrested. Allegedly, the car was used in such operation. It was only after the petitioner had approached the Court praying for release of the car that he has been made an accused in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he admits that according to the police report, the power of attorney is genuine.

Considering the materials available in the case diary and the alleged role ascribed to the present petitioner, I do not think that

custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)