

17.09.2025
Sl. No.39
Ct. 28
NB

C.R.M. (A) 2956 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 Balurghat PS Case No.282/2025 dated 22.04.2025 under Sections 420/465/468/471 of the Indian Penal Code.

And

In the matter of: Prasenjit Mahata @ Prasenjit Mahato
... petitioner

Mr. Gunjan Kumar Singh,
Mr. Prakash Mishra,
Ms. Priyanka Shukla.
...for the petitioner.

Mr. Saryati Dutta,
Ms. Sufi Kamal.
...for the State.

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

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case. The case depends on documentary evidence and bulk of such documents have already been seized.

Learned counsel appearing on behalf of the State relies on the report filed and the case diary and submits as follows. The petitioner initially obtained an OBC certificate. Thereafter, he surrendered the certificate and prayed for issuance of a ST Certificate. Although he obtained the ST certificate thereafter, the same has now been cancelled.

Therefore, it does not appear that during existence of an OBC certificate, the petitioner had obtained an ST certificate.

Considering the above and other materials available in the case dairy and the fact that bulk of the relevant materials have been seized by the Investigating Agency, 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 meet the Investigating Officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **C.R.M. (A) 2956 of 2025** is, thus, allowed.

The personal appearance of the Investigating Officer is noted and is dispensed with.

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.)