

17.09.2025  
Court No.28  
Item No.51  
tbsr  
Allowed

**CRM (A) 2990 of 2025**

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Santiniketan** P.S. Case No.**125 of 2025** dated **03.04.2025** under Sections **318(4)/316(2)** of the BNS, 2023.

And

In the matter of: Tumpa Dutta & Anr.

....Petitioners.

Ms. Afreen Begum

Mr. Dip Dutta

...for the petitioners.

Mr. Sujan Chatterjee

.....for the State.

Mr. Sandipan Ganguly, Sr. Adv.

Mrs. Priyanka Sarkar

....for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are the wife and the son of the principal accused. They had been needlessly roped in in this case with allegations of cheating and criminal breach of trust against the principal accused. They have responded to the notice issued under Section 35(3) of the BNSS. The principal accused used to work as a Manager of the Hotel belonging to the de facto complainant.

Learned senior counsel appearing on behalf of the de facto complainant vehemently opposes the prayer for anticipatory bail of the wife and son of the principal accused, an employee of the Hotel. He submits that huge sums of money have been embezzled by the principal accused in league with the present petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses. However, he admits that the principal accused is not before this Court.

Considering the materials available in the case diary and the alleged roles ascribed to each of the present petitioners, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioners shall not threaten or intimidate witnesses, shall cooperate with investigation and the petitioner no. 2 shall meet the I.O. as and when required.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**