

18.09.2025
Court No.28
Item No.42
ssi

CRM (A) 3006 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chandipur PS Case No.**201 of 2025** dated **31.05.2025** under Sections 406/420/506/34 of the IPC to Section 316(2)/318(4)/351(2)/351(3)/3(5)/3(6) of the BNS 2023.

And

In the matter of: **Naba Kumar Mondal**

....Applicant/Petitioner.

Mr. Agniswar Bhuinya
Mr. Mrinal Kanti Biswas

...for the petitioner

Mr. Madhusudan Sur, Ld. APP
Ms. Debadrita Mondal

...for the State

Mr. Rafikul Islam Sardar
Mr. Uttam Kumar Pradhan
Ms. Shamayem Fasih

...for the de facto

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was a witness to a sale agreement. He did not receive any money whatsoever on behalf of the owner of the property. The owner of the property allegedly denied receiving any money at a subsequent stage. This led the registration of the FIR. However, the petitioner has been falsely implicated in this case with an allegation that he had received the money on behalf of the seller/owner. It would be evident from Paragraph 4 of the writ petition filed by the de facto complainant that he admitted that on 18.10.2023, he paid the sum amounting to Rs. 3, 50,000/- as an advance money which was duly received by the private respondent no.4 therein i.e., the seller in the presence of the petitioner and others. Moreover, no notice has been issued by the Investigating Officer to the present petitioner.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. He submits that the petitioner received the money on behalf of the owner on two occasions.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of witnesses and to copy of the receipt executed by the seller.

From the receipt available in the case diary, it appears that the seller had admitted about receiving some money. In the writ petition also, the de facto complainant claimed that a sum of Rs.3,50,000/- was received by the seller in the presence of others including the petitioner.

Considering the nature of allegations and the materials available in the case diary, 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 petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

However, 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 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 conditions that the petitioner shall not threaten or intimidate the witnesses and shall co-operate with investigation. 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.

(Jay Sengupta, J.)