

22.09.2025
Sl. No.40
Ct. 28
NB

C.R.M. (A) 3042 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 Kandi PS Case No.62/2025 dated 12.02.2025 under Sections 316(5)/318(4)/61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 13/7(A) of Prevention of Corruption Act, 1988.

And

In the matter of: Tanmoy Halder

... petitioner

Mr. Tapas Kr. Ghosh,
Mr. Tanmay Chowdhury.
...for the petitioner.

Mr. Debasish Roy Id.PP.,
Mr. Kunal Ganguly,
Mr. Debadrita Mondal.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was an employee of a postal department. It was alleged that the petitioner had asked for bribe through another employee for getting the de facto complainant a leave for six months.

Learned Public Prosecutor representing the State opposes the prayer for anticipatory bail. He relies on the FIR and the statements of victim's father among others. However, he submits that there is no independent eye-witness for the same or any trap laid this regard.

It also appears that a co-accused was granted anticipatory bail by this Court on 05.05.2025 in *CRM (A) 1461 of 2025*.

Considering the nature of allegations and the materials available in the case dairy and the fact that a co-accused was granted anticipatory bail by this Court, 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 petitioner shall cooperate with the investigation and to 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) 3042 of 2025** is, thus, allowed.

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.)