

27.11.2025
Court No.28
Item No.26
tbsr
Allowed

CRM (A) 3088 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bishnupur** P.S. Case No.**753 of 2025** dated **12.08.2025** under Sections **318(4)/316(2)** of the Bharatiya Nyaya Sanhita.

And

In the matter of: Sadhana Pahar

....Petitioner.

Mr. Kallol Kumar Basu

Md. Jannat Ul Firdous

Mr. Rajesh Naskar

Mr. Rajsekhar Hota

...for the petitioner

Mr. Anand Keshari

Mr. Soumadip Saha

....for the State

Mr. Radhamohan Ray

....for the de facto complainant

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was a Secretary of a Co-operative Society since 2015. When there was shortage of funds she had given funds from her own, which was later on recovered when the funds were made available to the Society. The present de facto complainant was a member of the Board. She was removed from the post because she was not attending the proceedings. In retaliation this FIR was registered. The audit reports clearly evince that there was no wrong doing done on the part of the petitioner.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. He submits that certain documents appended to the supplementary affidavit contained forged signatures.

Learned counsel appearing on behalf of the State relies on the case diary and the report and opposes the prayer for anticipatory bail. However, he submits that upon enquiry it was found that the documents relied upon in the supplementary affidavit were correct and truthful.

It appears that the petitioner has cooperated with investigation by meeting the Investigating Officer during pendency of this application.

Considering the above and the other 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.

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 condition that the petitioner shall cooperate with investigation and shall not threaten or intimidate witnesses.

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.)