

27.10.2025
Sl. No.21
Ct. 28
NB

C.R.M. (A) 3153 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 Chandipur PS Case No.201/2025 dated 31.05.2025 under Sections 406/420/506/34 of the Indian Penal Code corresponding to Sections 316(2)/318(4)/351(2)/351(3)/3(5)/3(6) of Bharatiya Nyaya Sanhita.

And

In the matter of: Shib Prashad Giri ... petitioner

Mr. Agniswar Bhuinya
...for the petitioner.

Mr. Sandip Chakraborty,
Ms. Srilekha Chattopadhyay.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was only 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 to registration of the FIR. 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 presence of the petitioner and others. A similarly circumstanced co-accused namely, Naba Kumar Mondal was granted anticipatory bail on 18.09.2025 in *CRM (A) 3006 of 2025*.

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

Considering the nature of allegations, the materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that a similarly circumstanced co-accused was granted anticipatory bail by this Court earlier, 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 is, thus, disposed of.

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.)