

AD 432
September 9, 2025
Ct. 28
SG

CRM(A) 3167 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khatra P.S. Case No.80 of 2025 dated 30.07.2025 under Sections 318(4)/316(2)/336(3)/338/340(2)/308(5)/3(5) of the BNS, 2023.

And

In the matter of:

Prasanta Pal

... petitioner

Mr. Rana Mukherjee
Mr. Arkaprabho Roy
Mr. Rhiddhiman Mukherjee
Mr. Soujanya Pattanayak

... for the petitioner

Ms. Faria Hossain, Id. APP
Mr. Rajes Jana

... for the State

Mr. Sabir Ahmed
Mr. Shraman Sarkar
Mr. Dhiman Banerjee
Mr. Tehasin Reja

... for the de facto complainant

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case by rival land dealers. This is a counterblast to a demand notice given in respect of a cheque that was issued in favour of the petitioner and that subsequently led to a proceeding under Section 138 of the N.I. Act.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the de facto complainant was forcibly made to part with blank

cheques and other valuable documents. The petitioner is a land mafia and he was trying to extort money from the de facto complainant who was also dealing with land.

Learned counsel for the State strongly opposes the prayer for anticipatory bail and relies on the statements of witnesses as well as the victims.

It appears that the statements from local witnesses were mostly hearsay in nature.

It also appears that the matter pertains to a failed land deal with allegations and counter allegations.

Considering the above and the materials available in the case diary, I do not find 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer

once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)