

03/12/2025
D/L – 10
Court No.28
S. Kundu
Rejected

C.R.M.(A) 3206 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Burwan P.S case no. 265 of 2025 dated 16/6/2025 under Sections 420/406/34 of the IPC.

In the matter of: Mihir Chandra Saha

...Petitioner.

Mr. Anindya Lahiri
Mr. Samrat Dey Paul
Mr. Subhomoy Paul

...for the petitioner.

Mr. Bivasan Bhattcharyya
Mr. Amal Kr. Saha
Mr. Iresh Paul

...for the de-facto complainant.

Mr. Madhusudan Sur
Ms. Pushpita Saha

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner has sand mining business. The payments that were allegedly made by the de-facto complainant, were in connection with the same sand business. Upon instructions from one of the associates, these transactions were entered into.
3. Learned counsel appearing on behalf of the de-facto complainant opposes the prayer for anticipatory bail. He submits that the delay of about seven years in lodging the FIR was caused because the petitioner had returned part of the amount taken for giving jobs and was taking time to make further payments. The co-accused in this case

was arrested as an accused in the SSC scam matter by the CBI.

4. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the several transactions made between the de-facto complainant and the petitioner and also to the criminal antecedents of the present petitioner. There are statements of victims recorded in the case diary.
5. It is surprising that the de-facto complainant in this case was collecting money from other victims and giving it to the accused for getting jobs. His role also needs to be looked into by the Investigating Officer.
6. Be that as it may, considering the above and the other incriminating materials available in the case diary so far as the present petitioner is concerned, I do not consider this to be a fit case to grant anticipatory bail.
7. Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)