

19/11/2025
D/L – 33
Court No.28
S. Kundu
Partly Allowed

C.R.M.(A) 3311 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Barasat Cyber P.S. case no. 17 of 2025 dated 19.3.2025 under sections 316(2)/318(2)/319(2)/61(2) of the BNS.

In the matter of: Mahesh Samanta & Ors.

...Petitioners.

Mr. Susnigdho Bhattacharyya
Ms. Sharmistha De

...for the petitioners.

Mr. Saryati Datta
Mr. Arup Sarkar

...for the State.

1. Earlier, the application was dismissed as not pressed so far as the petitioner nos. 2 and 5 were concerned as they were arrested and were granted bail.
2. Learned counsel appearing for the petitioners submits that the de-facto complainant has received payment of more than Rs.8 Lakhs for an investment of about Rs.11 Lakhs. The petitioners have been falsely implicated in this case.
3. Learned counsel appearing for the State strongly opposes the prayer for anticipatory bail. He refers to the statements and the other materials available in the case diary and submits that the petitioner no. 4 started the company and the website to cheat people with the offer of giving high returns for investment made. This is kind of

a chit fund. There are several victims. The petitioner no. 3 is the aged father of the petitioner no. 4 and is also a Director of the said company. The other petitioners being the petitioner nos. 1 and 2 are merely name lenders for shell company started by the petitioner no. 4.

4. Considering the materials available in the case diary and the alleged roles ascribed to each of the petitioners, while I am inclined to grant anticipatory bail to the petitioner nos. 1, 3 and 6 (Mahesh Samanta, Debendranath Samanta and Rajes Ali Khan), the application for anticipatory bail of the petitioner no. 4 (Dipankar Samanta) is rejected.
5. In the event of arrest, the petitioner nos. 1, 3 and 6 shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the said petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The said petitioners shall meet the Investigating Officer once a week till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed-in-part.

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

(Jay Sengupta, J.)