

19.12.2025
Court No.28
Item No.13
ssi

CRM (A) 3469 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Thakurpukur Police Station Case No.**277 of 2025** dated **15.08.2025** unde Sections **127 (2)/3(5)/308(4)/308(5)/336(3)/336(4)/338/340 (2) /351 (2)** of the BNS 2023.

And

In the matter of: **Kashinath Mondal & another.**

....Applicants/Petitioners.

Mr. Debajyoti Deb
Mr. Somdyuti Parekh
Mr. H. K. Jha

...for the petitioners

Mr. P. K. Datta, Ld. APP
Mr. Santanu Deb Roy

..for the State

Mr. Avik Ghatak
Mr. Fahad Imam

...for the de facto

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is a suspended police officer and the petitioner no.2 is a musician. It is alleged that the petitioners masqueraded as police officers and took huge sums of money amounting to Rs. 8.4 lakhs in several installments from the de facto complainant over a period of time. After about a year, it is alleged that the de facto complainant received an anonymous call demanding more money. This prompted him to lodge the present belated FIR. It is pertinent to mention that the wife of the petitioner no.1 was working at the de facto complainant's real-estate business. She was raped by the de facto complainant. Accordingly, an FIR was lodged in November 2024 and a charge sheet was submitted in that case. The

present proceeding has been initiated as a counter-blast. In fact, the de facto complainant is a habitual sex offender.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the statements of the de facto complainant and his employee in support of payments of sums of money to the present petitioners. There is also a statement of another witness alleging that the petitioners are habitual offenders, although no specific cases are registered in this regard.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. He submits that there was an undertaking given by the petitioner no.1 that he would protect the petitioners from criminal cases. The said note has been handed over to the Investigating Officer.

Considering the above, the nature of allegations, the materials available in the case diary, the fact that there is an alleged delay in lodging of the FIR, and the fact that a prior case was initiated by the wife of the petitioner no.1 alleging sexual assault against the present de facto complainant, which has culminated in a charge sheet, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

In the event of arrest, the petitioners 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 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 conditions that the petitioners shall not threaten or intimidate the witnesses and shall co-operate with the investigation. The petitioners shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)