

17/11/2025
D/L – 76
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3580 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Phoolbagan P.S. Case no. 78 of 2025 dated 15.5.2025 under Sections 318(4)/316(2) and 61(2) of the BNS.

In the matter of: Soma Das Maitra

...Petitioner.

Mr. Sudipto Maitra
Mr. Siddhartha Sarkar
Ms. Arunima Das Sharma

...for the petitioner.

Mr. Ranabir Roy Chowdhury
Ms. Arani Bhattacharyya

...for the State.

1. Learned senior counsel appearing on behalf of the petitioner submits as follows. There is a dispute between partners in relation to running of a petrol pump. The petitioner was suffering from Parkinson's disease and wanted to retire. The de-facto complainant came in and the petitioner gave power of attorney in his favour. The documents were sent to the HPCL, but the latter did not include the name of the de-facto complainant as a partner. This prompted the de-facto complainant first, to file a writ petition and thereafter, to lodge the instant FIR. No *prima facie* case is made out so far as the present petitioner is concerned. The petitioner has been falsely implicated in this case.

2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that the petitioner has complied with the notice given by the Investigating Officer.
3. Considering the above, the other materials available in the case diary and the fact that the petitioner has complied with the notice issued by the Investigating Officer, I am inclined to grant anticipatory bail to the petitioner.
4. In the event of arrest, the petitioner 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)