

23.12.2025
Court No.28
Item No.11
tbsr
Allowed

CRM (A) 3609 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sonarpur** P.S. case No.**930 of 2025** dated **14.06.2025** under Sections **318(4)/316(2)/351(2)/3(5)** of the BNS, 2023.

And

In the matter of: Amitava De Bhowmik @ Bhowmick & Anr.
....Petitioners.

Mr. Samim Ahammed
Mr. Arka Ranjan Bhattacharya
Ms. Gulsanwara Pervin
....for the petitioners

Mr. Sanjay Banerjee
Ms. Rajnandini Das
....for the State

Mr. Simanta Kabir
Mr. Avik Pramanick
....for the de facto complainant

Learned counsel appearing on behalf of the petitioners submits that the money in question was allegedly taken in 2021. Soon thereafter, the petitioners lodged an FIR alleging harassment. After this, the present FIR was lodged on 14.06.2025.

Learned counsel appearing on behalf of the de facto complainant submits that the petitioners misrepresented that they were legal experts and gave advice and took the responsibility of filing litigation on behalf of the de facto complainant. They did not do so. When they were asked to return the money, they made false allegations against the de facto complainant. However, the de facto complainant has been discharged from that case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements available in the case diary.

Considering the fact that there was a delay in lodging the FIR and in view of the fact that the petitioners have complied with the notices issued by the Investigating Agency, I am inclined to grant anticipatory bail to the petitioners.

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 condition that the petitioners shall cooperate with investigation, the petitioner no. 1 shall meet the I.O. 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 may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)