

04/12/2025
D/L – 39
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3787 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Belda P.S FIR No. 364 of 2025 dated 11/9/2025 under Sections 316(2)/318(2)/318(4)/61 and 3(5) of the BNS.

In the matter of: Ashok Kumar Gupta @ Ashok Gupta

...Petitioner.

Mr. Ranjan Kr. Roy
Mr. Ranajit Roy
Mr. Indra Prasad Mullick

...for the petitioner.

Mr. Joydeep Biswas
Mr. Jewel Chnada
Mr. Kaushik Ghosh

...for the de-facto complainant.

Mr. Bibaswan Bhattacharyya
Ms. S. Dutta

...for the State.

1. Vakalatnama filed on behalf of the de-facto complainant is taken on record.
2. Learned counsel appearing for the petitioner submits as follows. The business in question belongs to the son-in-law of the petitioner, and the present petitioner is in no way connected with it. The co-accused was granted anticipatory bail by the Sessions Court. In any event, the dispute is purely civil in nature.
3. Learned counsel appearing for the de-facto complainant opposes the prayer for anticipatory bail.
4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statements

of the victims as well as other materials available in the case diary. As per the statements, although the business was in the name of the petitioner's son-in-law, the petitioner used to regularly sit there and deal with the day to day business.

5. It appears that the principal accused is the owner of the business, namely, Kaushik Karmakar.
6. Considering the materials available in the case diary and the alleged role ascribed to the petitioner, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
7. 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. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
8. Accordingly, the application for anticipatory bail is allowed.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)