

03.12.2025
Court No.28
Item No.31
AB

CRM (A) 3802 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Bidhannagar North PS Case No. **46 of 2025** dated **29.03.2025** under Sections **316(2)/318(4)** of the BNS, 2023.

And

In the matter of: **Saurav Bhattacharya & Anr.**

....Applicants/Petitioners.

Mr. Pronojit Roy
Mr. Aridam Bit

...for the petitioners

Mr. Sandip Chakraborty
Mr. Raju Mondal

...for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The dispute is purely civil in nature. The petitioner no. 1 had looked after the de facto-complainant, his aged aunt, which prompted her to convey the property in his favour at a nominal rate. A civil suit is also pending over this issue. Only after this was filed, the present F.I.R. was registered.

Learned counsel for the State opposes the prayer for anticipatory bail. He submits that the de facto complainant is an eighty-year-old lady who was misled into parting with a property at a nominal sum.

Considering the materials available in the case diary and the fact that the F.I.R. is preceded by a civil suit filed by the de facto complainant, I do not think that custodial interrogation of the petitioners are required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioners are 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 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.)