

09.12.2025
Court No.28
Item No.37
ssi

CRM (A) 3828 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Tamluk PS Case No.**745 of 2025** dated **15.09.2025** under Sections **420/406** of the Indian Penal Code.

And

In the matter of: **Shubhankar Mishra**

....Applicant/Petitioner.

Mr. Angshuman Chakraborty
Mr. Rajib Kr. Acharyya
Mr. Dipam Mazumder
Mr. S. S. Sahu

...for the petitioner

Mr. Dipankar Mandal
Mr. Abdul Aziz Mondal

...for the de facto

Mr. Ranabir Roy Chowdhury
Mr. Rahul Ganguly

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. There was a long standing business relationship between the petitioner and the de facto complainant. It is alleged that in May 2023, a cheque of Rs. 1 lakh and a sum of Rs.3.5 lakhs in cash was given to the petitioner to purchase a machine. It is further alleged that instead of doing so, the petitioner returned only Rs. 1.5 lakhs. However, a blank cheque issued in lieu of the rest of the sum. The FIR, however, was lodged in September 2025.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State also opposes the prayer for anticipatory bail. He relies on the documents and the statements of witnesses.

Considering the materials available in the case diary, the allegations that also have a civil flavor, the claim that a cheque was given in lieu of the balance amount and that there was a delay in lodging the FIR, I am inclined to grant anticipatory bail to the petitioner.

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

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner shall co-operate 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.

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

(Jay Sengupta, J.)