

14.01.2025
Sl. No.4
akd
[ALLOWED]

C. R. M. (A) 4674 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 23.12.2024 in connection with Kolaghat Police Station Case No.792 of 2024 dated 07.11.2024 under Sections 406/420/465/468/34 of the Indian Penal Code. (G.R. Case No.3614 of 2024)

And

In Re: ***Rwitaban Chatterjee @ Ritwan Chaterjee***
... .. Petitioner

Mr. Swpan Kumar Mallick
Ms. Sudeshna Das
... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Sourat Nandy
... .. for the State

1. It is submitted on behalf of the petitioner that he is a former employee of 'M/s. Black Short India Ltd.', a company engaged in manufacturing and distributing liquor. It is further submitted petitioner had no role to play in the affairs of the company and has been falsely roped in a dispute between the company and its C & F agents. A number of C & F agents have lodged similar cases against the company. Pre-arrest bail has been granted in CRM (A) 3789 of 2024 and CRM (A) 4305 of 2024 to the Director of the company in two of such cases. Accordingly, he prays for similar relief.

2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits petitioner's company dishonestly persuaded the C & F agents to make deposits but no consignments were delivered for distribution.

3. We have considered the materials on record. Petitioner was a former employee of the company. Nothing is placed on record to show

petitioner was involved in the communications between the company and the de-facto complainant/C & F agent. It may be relevant to note other C & F agents have lodged similar FIRs wherein this court has granted pre-arrest bail to its Director. Petitioner's case stands on a much better footing than the Director who has been granted pre-arrest bail in similar cases. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, **Rwitaban Chatterjee @ Ritwan Chaterjee**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)