

18.11.2025
Item no.15
Court No.3
ss
(Rejected)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (A) 727 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Pradhan Nagar P.S. Case No.340 of 2025 dated 18.05.2025 under Section 319(2)/308(5)/351(2)(3)/61(2) of BNS. 2023 corresponding to PTN Case No.2831 of 2025 pending before the learned Additional Chief Judicial Magistrate at Siliguri.

In the matter of : Mithun Chandra Barman & anr.
... Petitioners.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Sayantani Das
Mr. Shubham Kumar

...for the Petitioners.

Mr. Tapan Bhattacharjee
Mr. Chattu Roy

.....for the State.

1. Learned Advocate for the petitioners at the outset submit that the petitioner no.2 has been arrested and he has been enlarged on bail by the learned jurisdictional court. For such reason, the application for anticipatory bail on behalf of the petitioner no.2 has become infructuous. He seeks not to press the prayer of petitioner no.2 for anticipatory bail.
2. In view of the above, the prayer for anticipatory bail of petitioner no.2 is dismissed being infructuous.

3. Learned advocate for the petitioners submits that the precise allegation in the FIR is against one Surojit Roy of misrepresentation and deceitfully misleading the complainant to transfer certain amount of money to him. Save and except that certain portion of the said amount has been transferred by the complainant to the account of the petitioner no.1, there are no other allegations against him. All the accused persons excepting the present petitioner no.1 is on bail. He seeks for grant of anticipatory bail in favour of the petitioner no.1.
4. Learned Advocate for the State, opposing such prayer, submits that petitioner no.1 along with others are a part of a racket which are involved in making misrepresentation to dupe persons for getting illegal gains. The complainant is coerced to transfer lump sum amount in the bank account of several accused persons. A ploy is made of illness and treatment of mother of accused Surojit Roy in America in order to defraud the complainant. He seeks for dismissal of the application for anticipatory bail.
5. Perused the case diary and the materials on record.
6. The fact as revealed from the FIR is that one Surojit Roy represented before the complainant that for treatment of his mother, who is seriously ill, he needs certain money. The complainant on good faith agreed to transfer certain amount of money. Later, there are also allegations that the complainant was pressurized to transfer the amount. There cannot be any dispute that total amount of Rs.42 lacs have

been transferred. Admittedly, an amount of Rs.4,00,454/- has been transferred to the account of the petitioner no.1. Thus, the complicity of petitioner no.1 in the said offence is revealed. Considering the above, I am not inclined to extend the benefit of anticipatory bail to the petitioner no.1. Accordingly, the prayer for anticipatory bail of the petitioner no.1 is rejected.

7. The application being **CRM (A) 727 of 2025** stands dismissed.

(Bivas Pattanayak, J.)