

05.02.2026
Court No.28
Item No.35
ssi

CRM (A) 99 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Paschim Medinipur Cyber Crime Police Station Case No.2 of 2025 dated 13.02.2025 under Sections 79/356 (3) of the BNS 2023 read with Section 66E of IT Act with added Sections 3 (5)/61 (2) of BNS 2023 read with Section 67 of the IT Act.

And.

In the matter of: **Sankar Prasad Kundu.**

.... Petitioner.

Mr. Soumajit Chatterjee
Ms. Suchismita Dutta

...for the petitioner

Mr. Anupam Dasadhikari
Ms. Ankita Paul

..for the State

Learned counsel appearing on behalf of the petitioner submits that the charges are bailable. Yet, the petitioner apprehends arrest because the Session Court had rejected the prayer for anticipatory bail holding that custodial interrogation of the petitioner is required.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

It is indeed very surprising that in a case involving bailable offences, the application for anticipatory bail was rejected.

As there are no non-bailable provisions charged in the FIR, the application for anticipatory bail is not maintainable.

Accordingly, the application for anticipatory bail is disposed of by granting liberty to the petitioner to surrender before the learned jurisdictional Court and pray for bail which shall be decided without being influenced by any observations either made herein or in the order passed by the learned Sessions Court.

CRM (A) 99 of 2026 is disposed of.

(Jay Sengupta, J.)