

12.02.2026
Court No.28
Item No. 26
tbsr
Allowed

CRM (A) 169 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Section –G **Hare Street** P.S. Case No.**205 of 2025** dated **13.09.2025** under Sections **3(5)/316(2)/318(4)** of the BNS, 2023.

And

In the matter of: **Sudhir Pandey & Anr.**

....Petitioners

Mr. K. C. Garg

Ms. Sunita Agarwal

....for the petitioners

Mr. Debabrata Chatterjee

Ms. Rajashree Tah

....for the State

Mr. Amarta Ghose

Mr. Souradeep Ghosh

....for the de facto

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are transporters of goods. They were supposed to transport goods belonging to the de facto complainant to a destination and deliver the same upon payment for transportation. But, the payment was not made. As the petitioners had lien on the goods, they waited still a substantial payment was done. Even then, only a part payment was made. But the petitioners delivered the goods. The de facto complainant alleges that in the process there have been some damages caused due to delay.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that full payment was made. Yet, for some reason the goods were not delivered in time. The petitioners were asking for more money for making the delivery.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of witnesses and the documents seized. She also submits that there is a communication made by the petitioners that the goods would be sold if money due was not paid.

Considering the above and the other materials available in the case diary and the fact that there is also a civil flavour in the dispute at hand, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

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 condition that the petitioner shall cooperate with investigation, shall meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)