

11.02.2026
Court No.28
Item No.42
ssi

CRM (A) 202 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Bowbazar Police Station Case No.**04 of 2026** dated **03.01.2026** under Sections **318 (4)/61(2)** of the BNS 2023.

And

In the matter of: **Smt. Subarna Dutta & another.**

.... Petitioners.

Mr. Krishnendu Bhattacharya
Mrs. Sushmita Paul
Mr. Amaan Deep Gupta
Ms. Sneha Ghosh

...for the petitioners

Mr. Prabir Adhya

...for the de facto

Mr. Rudradipta Nandy, Ld. APP
Ms. Nandini Chatterjee

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 1 was the Director of a company along with the de facto complainant. The petitioner no.2, her husband, was an IT expert. He used to bring clients for the concerned company. A dispute subsequently arose regarding control and management of the company. It has now been falsely alleged that certain sums of money were taken out from the company's account by the petitioners. Till date, no notice under Section 35 (3) has been issued to the present petitioners.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that money has indeed been taken out by the accused persons.

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

Considering the above, the other materials available in the case diary and the fact that the dispute in question is between two Directors and the CEO of a Company and bulk of relevant documents have already been seized by the police, 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.

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

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 conditions that the petitioners shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner no.2 shall meet the Investigating Officer once a fortnight till submission of report in final form.

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

(Jay Sengupta, J.)