

06.02.2026
Court No.28
Item No.78
ssi

CRM (A) 286 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Jhargram Police Station Case No. **18 of 2026** dated **17.01.2026** under Sections **318 (4)** of the BNS 2023.

And

In the matter of: **Prasad Goswami**

.... Petitioner.

Mr. Pronojit Roy

...for the petitioner

Mr. Anand Keshri

Mr. Asraf Mondal

..for the State

Mr. Soumyajit Das Mahapatra

Ms. Madhurai Sinha

Ms. Upasana Banerjee

...for the de facto

Learned counsel appearing on behalf of the petitioner submits as follows. Everything happened in the course of commercial transaction. Low quality jaggery was supplied by the de facto complainant. This was asked to be replaced. Instead of doing so, the two security cheques given to the de facto complainant were presented and proceedings were initiated under the Negotiable Instruments Act. This involves the third. Now, an FIR has been lodged over the same issue after about four months of the incident.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the same modus operandi has been employed by the petitioner in other cases as well. In this case, the accounts were closed for the cheques.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the other materials available in the case diary.

Considering the above, the other materials available in the case diary, the fact that there are allegations and counter allegations regarding the commercial transaction in question and that there are two proceedings under the N.I. Act initiated by the de facto complainant on two cheques issued, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail of the petitioner.

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

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

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

(Jay Sengupta, J.)