

25.03.2026
Court No.35.
D/L. 02
Rakib
(Allowed)

CRM (A) 401 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chatterjeehat Police Station Case No. 86 of 2024 dated 04.05.2024 under Sections 341/365/420/468/34 of the Indian Penal Code.

And

In the matter of : XXX & Anr.

.....Petitioners.

Mr. Romit Dutta.

.....for the Petitioners.

Mr. Ranabir Roy Chowdhury

Mr. Anidya Sundar Chatterjee.

.....for the State.

Ms. Malabika Saha

.....for the de-facto complainant.

Petitioners have preferred an application for anticipatory bail in connection with the instant case. Earlier it reflects that an application for quashing of the proceeding was preferred, which was dismissed. Petitioners preferred Special Leave Petition before the Hon'ble Supreme Court which was also not interfered with.

Records of the case reflects that a notice was issued under Section 41A of the Cr.P.C. to the petitioners which the learned advocate for the State submits was not complied with and replied with derogatory informations against certain individuals associated with the legal profession.

I find from the records of the case, particularly the letter of complaint addressed to the Officer-in-Charge of Chatterjeehat Police

Station that the incident complained of is between 20.04.2023 to 30.04.2023. There are series of cases *inter se* between the parties i.e. complainant and the present petitioners who are legal professionals.

Having regard to the facts of the case and the background of the case, *prima facie*, a case for investigation has been made out as the same has been tested up to the Hon'ble Supreme Court.

However, so far as the custodial detention is concerned, I am of the view that at this stage the same may not be called for, in view that almost three years having been passed and the initial approach of the investigating agency also was by way of issuing notice under Section 41A of the Cr.P.C.

Accordingly, I direct that in the event of arrest, the petitioners may be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of Rs.5,000/- (Rupees Five thousand only) each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

If on bail, petitioners are directed to be physically present within a fortnight from the date before the investigating officer of the case.

The petitioners shall henceforth cooperate with the investigating agency and make themselves available as and when called for.

With the aforesaid observations CRM (A) 401 of 2026 is **allowed.**

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)