

18.02.2026
Court No.28
Item No.40
ssi

CRM (A) 406 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Madhyamgram Police Station Case No.**372 of 2025** dated **24.05.2025** under Sections **316(2)/318(4) of the BNS 2023**.

And

In the matter of: **Anupam Sarkar & another..**

.... Petitioners.

Mr. Pawan Kr. Gupta
Mr. Santosh Kr. Ojha
Ms. Sofia Nesar
Mr. Santanu Sett

...for the petitioners

Mr. P. Das

...for the de facto

Mr. Partha Pratim Das
Mr. Aritra Bhattacharyya

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the erstwhile members of a housing society. After their tenure ended, false cases have been foisted against them by the present incumbents. The instant FIR was lodged pursuant to a complaint made before a learned Magistrate. Absurd allegations are being made that the contractor employed by the society did not pay EPF due of the workers. The petitioners cannot be held responsible for the same.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. He submits that threats are given to withdraw the complaint.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He refers to the statements of the witnesses and the copies of documents available in the case diary.

Considering the above, the other materials available in the case diary and the alleged roles ascribed to the present petitioners, 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 petitioners shall meet the Investigating Officer as and when required.

(Jay Sengupta, J.)