

30.03.2026
Court No.28
Item No. 22
tbsr
Allowed

CRM (A) 445 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chandipur** P.S. Case No.**442 of 2025** dated **06.12.2025** under Section **305(a)** of the BNS.

And

In the matter of: **Milan Bera**

....Petitioner.

Mr. Bibaswan Bhattacharya
Mr. Sourat Nandy
Mr. P. Roy

...for the petitioner.

Mr. Suman De
Ms. Paulami Bose

....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was a supplier of mobile phones to the de facto complainant, who owns a shop. Some dues remained pending. A cheque was dishonoured. This prompted the petitioner to give a notice of demand dated 07.11.2024. This was replied to by the de facto complainant. In fact, the informant asked the petitioner to come on a particular day, i.e., on 01.12.2025, to collect his dues. He was paid a certain sum. However, thereafter, it was alleged that the petitioner had stolen away 18 mobile phones from the shop of the de facto complainant in his absence.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of witnesses. He also submits that there is a CCTV footage which shows that the

petitioner entered into the shop with a bag and left the shop with the bag.

In view of the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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 condition that the petitioner shall cooperate with investigation, 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.

The personal appearance of the Investigating Officer is noted and is dispensed.

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.)