

12.03.2026
Court No.28
Item No. 14
tbsr
Allowed

CRM (A) 491 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Samsherganj** P.S. Case No. **1132 of 2025** dated **29.11.2025** under Sections **316(2)/318(4)** of the BNS, 2023.

And

In the matter of: **Santanu Das**

....Petitioner.

Mr. Prajnadeepta Roy
Ms. Sohini Kundu
Mr. Debojyoti Goswami
...for the petitioner.

Ms. Subhasree Patel
Ms. Madhumita Basak
....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. It is alleged that the petitioner promised to sell his portion of a property. It is alleged that although Rs. 6 lakhs out of a total consideration of Rs. 7 lakhs was taken, the property was not conveyed. There is a problem regarding conveyance of the property because the de facto complainant in collusion of another had forged the signature of the petitioner, his mother and sister and prepared a power of attorney. In any event, total land comprising of about 1.5 decimals have been sold to the de facto complainant.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that there is no proof that any land was transferred. He relies on the statements of the witnesses and the copies of documents collected.

Considering the above, the other materials available in the case diary and the fact that the dispute also has civil profile, 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, shall meet the I.O. once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

The presence of the Investigating Officer is noted and is dispensed with.

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.)