

AD 6
March 31, 2026
Ct. 28
SG

Allowed

CRM(A) 517 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kolaghat P.S. Case No.44 of 2026 dated 18.01.2026 under Sections 316(2)/318(4)/336(3)/340(2) of the BNS, 2023.

And

In the matter of: *Shibaprasad Mondal @Shibaprasad Mandal*
... petitioner

Mr. Sabir Ahmed
Mr. Q.E. Ahmed

... for the petitioner

Mr. Saryati Dutta
Ms. Sreetama Das

... for the State

Mr. Ranadeb Sengupta
Mr. Soumyadip Maity

... for the de facto complainant

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. More so, he had obtained anticipatory bail in a case with similar allegations earlier. The petitioner has given his specimen signature for comparison to the investigating officer, without prejudice.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that the signature has to be compared with the signature appearing on the alleged undertaking.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that the petitioner was involved in a case with similar allegations.

Considering the above, the other materials available in the case diary and the fact that the petitioner has cooperated with investigation of giving his specimen signature to the investigating officer for comparison, 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/- (rupees ten thousand) 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 the further conditions that the petitioner cooperate with the investigation, shall meet the investigating officer 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.

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

(Jay Sengupta, J.)

