

01.04.2026
Sl. No.51
Ct. 28
NB

C.R.M (A) 657 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Moyna PS Case No.39/2026 dated 01.02.2026 under Sections 316(2)/115(2)/351(2)/3(5) & 318(4) of the Bharatiya Nyay Sanhita, 2023 corresponding to MP Case No.495 of 2025.

And

In the matter of: Pratap Sing petitioner

Mr. Yudhisthir Maity,
Mr. Angshuman Chakraborty.
...for the petitioner.

Mr. Jaydeep Biswas,
Ms. Nahid Ahmed.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the other accused had continuous business transactions with the husband of the de facto complainant. It is denied that the petitioner had given any undertaking to repay before the Association. During pendency of this application, the petitioner has met the Investigating Officer pursuant to a notice issued.

Learned counsel appearing on behalf of the State, opposes the prayer for anticipatory bail. He refers to the statements of witnesses including the victim and the President of the Merchants Association who stated about a verbal undertaking being given by the accused to repay the money within the stipulated time.

Considering the above, the other materials available in the case diary, the fact that the allegations also have a civil profile and the fact that the petitioner has cooperated with the investigation by meeting the Investigating Officer, 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.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

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.)