

02.04.2026
Sl. No.34
Ct. 28
NB

C.R.M (A) 664 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 Gurap PS Case No.293/2025 dated 16.12.2025 under Sections 406/420 of the Indian Penal Code, 1860.

And

In the matter of: Soumen Seth ... petitioner

Mr. Dhananjoy Banerjee,
Mr. Praloy Hazra.
...for the petitioner.

Mr. Sanjoy Bardhan,
Mr. Rajesh Jana.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The de facto complainant is a cousin brother of the petitioner. The petitioner's mother was suffering from carcinoma. So he was constraint to take a loan of Rs.50,000/- from the de facto complainant's father. Out of this sum, Rs.20,000/- was repaid online. The de facto complainant has now falsely alleged that the de facto complainant had taken Rs.4,50,000/- in cash for giving him a job. All these allegedly happened in 2022. But, the FIR was lodged on 16.12.2025.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the statements of the alleged victim and another relative before whom the cash transaction was made.

Considering the above, the other materials available in the case diary and the fact that there is a delay of about three

years in lodging the FIR, 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.)