

06/04/2026
D/L – 95
Court No.28
S. Kundu
Allowed

C.R.M.(A) 701 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Bardhaman P.S case no. 112 of 2026 dated 04/02/2026 under sections 303(2)/317(2)/317(5)/61(2) of the BNS.

In the matter of: Hriday Pal

...Petitioner.

Mr. Sabir Ahmed
Ms. Gopa Biswas
Mr. Dhiman Banerjee
Mr. N. Shah

...for the petitioner.

Mr. Debasish Roy
Ms. Zareen N. Khan
Mr. Ashok Das

...for the State.

1. Supplementary affidavit filed on behalf of the petitioner is taken on record and a copy of the same is handed over to the learned counsel for the State.
2. Learned counsel appearing on behalf of the petitioner submits as follows. An amount of Rs.6 lakhs was recovered from a car. Two persons were arrested and were granted interim bail and the same was challenged before the learned Sessions Court. The Sessions Court set aside the order of bail. The said order was challenged before the High Court and the High Court has now stayed the order of the learned Sessions Judge. The implication of the petitioner is based only on the statement of a co-accused, which is not admissible in evidence.

3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He refers to the statements of the accused and other witnesses. More specifically, he refers to the statements of some witnesses who have stated that the seized money might include amounts which were directed to be given by them by the petitioner. He also relies on the phone call records.
4. It is surprising that before the seizure of the cash amount, none of those witnesses had made any complaint about forcible taking of money by the petitioner.
5. Considering the above, the other materials available in the case diary and the fact that the persons who were arrested with the seized money were granted interim bail by the learned jurisdictional Court, 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.
6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.

7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)