

08.04.2026
Sl. No.84
Ct. 28
NB

C.R.M (A) 764 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 Burdwan PS Case No.1426/2022 dated 02.12.2022 under Sections 420/409 of the Indian Penal Code.

And

In the matter of: Shyamal Kundu ... petitioner

Mr. Sanat Kumar Das,
Mr. Sujan Chatterjee,
Mr. Rohan Bavishi.
...for the petitioner.

Ms. Rituparna De (Ghose),
Mr. Dipankar Paramanick.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a chartered accountant by profession. He also works for the WBSEDCL. In the course of professional engagement, a sum of Rs.2Lakhs and odd, which was meant to be credited from TDS to the account of the concern, was transferred to the account of the petitioner's mother in law. However, without prejudice, the said sum was transferred back to the account of WBSEDCL, before lodging of any FIR.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She relies on the statements of witnesses and copies of document present in the case diary. She submits that although a charge sheet has been submitted, there is a scope for further investigation.

It would be open for the Courts to decide whether further investigation should be done in this case or not.

However, considering the other materials available in the case diary, the claim of the petitioner that the sum which inadvertently went to another account has been transferred back and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present 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 not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court.

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

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.)