

23.04.2026
Court No.28
Item No.82
tbsr
Allowed

CRM (A) 906 of 2026

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Berhampore** P.S. Case No.**47 of 2026** dated **06.01.2026** under Sections **34/420/506** of the Indian Penal Code, 1860.

And

In the matter of: Abhinab Chakraborty @ Abhinaba Chakraborty @ Sonai

....Petitioner.

Mr. Mujibar Ali Naskar

Mr. Sayan Sinha

Mr. Adil Naser

...for the petitioner.

Mr. Ranabir Roy Chowdhury

Ms. Srilekha Chatterjee

....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. A sum of Rs. 20 lakhs was paid to the petitioner for supplying cement, which was done. All these transactions happened in the year 2024. In fact, as per the FIR, admittedly there has been a substantial part repayment. The dispute, if any, is purely civil in nature.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the bank statements.

Considering the above, the other materials available in the case diary and the fact that the allegations also have a civil profile, 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/- 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 further condition that the petitioner shall cooperate with investigation, shall meet the I.O. 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 may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)