

AD 222
April 28, 2026
Ct. 28
SG

Allowed

CRM(A) 1014 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haripal P.S. Case No.82 of 2026 dated 09.02.2026 under Section 316(2) of the BNS, 2023.

And

In the matter of: *Sekh Noor Islam* ... *petitioner*

Mr. Fahad Imam
Mr. Sagnik Mukherjee
Mr. Saptaswajit Kar
Ms. Dishani Kanjilal

... for the petitioner

Mr. Saibal Bapuli
Mr. Kunal Ganguly

... for the State

Learned counsel for the petitioner submits that the petitioner purchased a tractor by taking loan from a non-banking financial institution. Mere failure to repay the loan does not amount to criminal breach of trust. There is an arbitration award and the petitioner intends to pay back the money due in instalments. Incidentally, a substantial part payment has been made by the petitioner.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of witnesses and the other materials available in the case diary. However, he submits that a part payment has been made by the petitioner earlier.

Considering the above, the other materials available in the case diary and the fact that the allegations also have a civil profile, 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer 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, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)