

21.04.2026
Court No.28
Item No.22
ssi

CRM (A) 1159 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Belur Police Station FIR No. 21/2026 dated 03.02.2026 under Sections 316 (3), 318 (4) (2) & 3 (5) of the BNS 2023.

And

In the matter of: **Sri Karunakar Mohanty & others.**

.... Petitioners

Mr. Mayukh Mukherjee
Mr. Sisir Kumar Purohit
Mrs. Sonali Das

...for the petitioners

Mr. Arindam Sen
Ms. Trina Mitra

..for the State

Mr. Debasish Ghosh
Mr. Lalit Baid
Ms. Sanjana Shaw
Mr. Kuldeep Das

...for the de facto

Leave is granted to amend the cause title.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the Directors of a company engaged in the business of hotel and restaurant in Bhubaneswar. The cause of action lies in Cuttack. Yet, the present FIR has been lodged at Belur Police Station. It was inadvertently mentioned by the petitioner no.1 that the petitioner no.3 was a citizen of India. It was due to ignorance of law that she was mentioned to be a citizen of India. She is actually a British Citizen holding an OCI card and is presently in Singapore. The dispute is purely civil in nature, for which the de facto complainant has already initiated a proceeding before the NCLT at Cuttack. The petitioner no.3 undertakes to co-operate with the

investigation. Although the case was earlier started with the allegation of cheating and criminal breach of trust, no notice has been issued to the petitioners.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that there was a clear false declaration by the petitioner no.1 that the petitioner no.3 was an Indian Citizen. There is also an allegation of forgery in this case. There is a possibility that relevant documents may be tampered by the petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the documents evidencing money transactions between the petitioners and the de facto complainant. He further submits that the petitioners had relied on a document uploaded in the website of Registrar of Companies based on a false information.

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 petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 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 conditions that the petitioners shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner

nos. 1 and 2 shall meet the I.O. once a fortnight till submission of report in final form.

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

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)