

20.05.2026
Sl. No.45
Ct. 28
NB

C.R.M (A) 1239 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 Hare Street PS Case No.0022/2026 dated 06.02.2026 under Sections 316(2)/318(4)/336(2)/336(3)/340(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Arpan Das Gupta ... petitioner

Ms. Arushi Rathore,
Mr. Sourav Samanta.
...for the petitioner.

Mr. Krishnendu Bhattacharya,
Mr. Koustav Lal Mukherjee.
..... Amicus.

Mr. Sabir Ahmed,
Mr. Ayan Chakraborty,
Mr. Quazi Ezaz Ahmed,
Mr. Saikat Mallick.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a registered valuer of properties. He has been empanelled with the bank in question in 2019. Till now, there has been no allegation of any indiscretion. In the instant case, the petitioner had gone to the place in question. He was shown a property by the owner/borrower of the land. The petitioner went to the property in respect of which a site plan had been handed over to him by the bank authorities. The petitioner did the valuation and conducted a geo-tagging as well. Now it has been alleged that the property was different and the same was overvalued by the petitioner.

Learned counsel appearing on behalf of the Bank opposes the prayer for anticipatory bail. He relies on the geo-tagging done by the subsequent surveyor and the report.

Learned Amicus assisting the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and copies of documents available in the case diary. He refers to the two reports and the first geo-tagging documents.

It appears that, although the petitioner overvalued the property and showed that there was a building on the side plot of the land, the land actually did not contain any building.

It also appears from the two reports and the geo-tagging documents that the property in question was not the same.

Either the owner/borrower had colluded with the petitioner in preparing such documents or the petitioner was duped by the owner/borrower by showing different property nearby.

However, it appears that the rest of the relevant documents pertaining to the investigation have already been collected.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner and that bulk of relevant documents have been collected, 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.

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 cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

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.)