

AD 68
May 11, 2026
Ct. 28
SG

Allowed

CRM(A) 1341 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Uluberia P.S. Case No.22 of 2024 dated 18.01.2024 under Sections 420/406/467/468/34 of the IPC, 1860.

And

In the matter of: Shyamal Mitra and others

... *petitioners*

Mr. Arindam Sen
Mr. Sourav Basu
Mr. Asit Bera
Mr. Sumik Biswas
Ms. Payel Maji

... for the petitioners

Mr. Krishnendu Bhattacharya
Mr. Priyankar Ganguly

... Amicus

Learned counsel for the petitioners submits that the father of the petitioner No.1 gave the properties in question by way of a family settlement to the petitioner No.1 and his brother in the year 1991. The petitioner No.1 is 85 years old. The petitioner No.2 is the wife of the petitioner No.1 and the petitioner Nos.3 and 4 are the daughter and the son-in-law of the petitioner No.1. The other brother passed away. The present petitioner No.1 and the legal heirs of the other brother subsequently mortgaged the property in question. Now, the daughter of the sister of the petitioner No.1, who was not given any portion of the said property, has filed the present FIR making wanton allegations against the petitioners.

Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. However, he submits that while the petitioners responded to the notice issued by the investigating officer, the de facto complainant did not.

Considering the above and the other materials available in the case diary, 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/- (rupees ten thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, shall not threaten or intimidate witnesses and the petitioner Nos.1 and 4 shall meet the investigating officer as and when required.

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.)

