

18/05/2026
D/L – 84
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1317 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Jorabagan P.S case no. 41 of 2026 dated 03/04/2026 under Sections 318(4)/61(2) of the BNS.

In the matter of: Amitabha Bhowmick

...Petitioner.

Mr. Dipanjan Chatterjee
Ms. Dipika Basu
Mr. Subhadip Chakraborty
Ms. B. Roy

...for the petitioner.

Mr. Pratim Priya Dasgupta
Mr. Amit Dey

...for the de-facto complainant.

Mr. Tapodip Gupta

... Amicus.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and others were supposed to supply the materials to the Railways for a project in Goa. They arranged for the materials and the transport. However, the vehicle went missing. They could not deliver the goods in time. They lodged an FIR with an allegation of theft. Thereafter, the vehicle and the materials were recovered. A suit was also filed against the transporter being the de-facto complainant of the instant case for damages. After this and as a counter blast, the present FIR was registered.
2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail. He submits that the incident pertaining to the

present case are of November, 2025, payments of such transport was not made by the present petitioner. However, the incidents which are being placed by the petitioner are for a second transaction which happened in February, 2026.

3. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the documents available in the case diary including the statements of witnesses. He submits that after filing of this application for anticipatory bail, an FIR has been registered against the present petitioner with similar allegations of non-payment of transport charges.
4. Considering the above, the other materials available in the case diary, the fact that the allegations also have a civil profile and the fact that prior to this FIR, a suit for damages had been filed against the transporter, 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.
5. In the event of arrest, the petitioner 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 further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the

Investigating Officer once a week till submission of report in final form.

6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)