

11.06.2026
Court No.28
Item No.32
ssi

CRM (A) 1403 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Gaighata Police Station Case No. 1080 of 2022 dated 17.11.2022 under Sections 420/406/506 of the Indian Penal Code.

And

In the matter of: **Bijoy Chakraborty**

.... Petitioner

Mr. Avik Ghatak
Ms. Afreen Begum
Mr. Dip Dutta

...for the petitioner

Mr. Somnath Bera

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. It is alleged in the present FIR that the petitioner had introduced the de facto complainant to certain buyers of goods in the U.K. Accordingly, goods were sent. But, money was not fully paid. It is alleged that a sum of Rs. 27 lakh is due as of now, although some part payment might have been paid. Incidentally in 2020, the same de facto complainant filed another FIR with similar allegations, but limited to Rs. 9 lakh. The said FIR was registered as Gaighata PS Case No. 80 of 2020 dated 08.02.2020. The matter is pending at the stage of framing of charge. The allegations made in the said FIR actually include the present allegations as well, as would be evident from the statements recorded in the said earlier case.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the statements of witnesses and the copies of documents present in the case diary. He also refers to a purported settlement agreement present at page 94 of the case diary. It is dated 20.01.2020. So, this

was before the present FIR which was lodged in 2022 and even before the first FIR that was lodged in 2020.

By this agreement, the petitioner purportedly agreed to pay back Rs. 9 lakh that he had taken on loan, which was a subject matter of the first case. This agreement also refers to an undertaking to help the de facto complainant recover a sum of Rs. 27.66 lakh due from certain businessman of London. This relates to the allegations in the second FIR. But all these issues were there, even in the year 2020.

Considering the above, the other materials available in the case diary and the alleged role ascribed to each of the present petitioner in respect of the instant case, 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.

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 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 petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner 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.)