

17.06.2026
Sl. No.22
Ct. 28
NB

C.R.M (A) 1421 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 Kandi PS Case No.135/2026 dated 29.04.2026 under Section 305 of the BNS, 2023.

And

In the matter of: Akshay Das ... petitioner

Mr. Sanjib Kumar Dan.
...for the petitioner.

Mr. Krishnendu Bhattacharya Id.APP.,
Ms. Shalini Bairagi.
...for the State.

Mr. S. Mukherjee,
Mr. K. Roy,
Mr. A. Saha.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the cousin brother of the de facto complainant. An FIR has been lodged on a mere suspicion that the petitioner is responsible for the alleged theft of gold ornaments from the house of the de facto complainant.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioner has criminal antecedent.

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.

Considering the above and the other materials available in the case diary, 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.)