

13.05.2026

Serial no. 1

Court 35

[G.S.D]

CRM (A) 2590 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Sadar Bardhaman PS Case No. 411 of 2025 dated 15.04.2025 u/s 318(4)/316(2)/338/351(2) of the BNS and GR Case No. 1826 of 2025.**

-And-

In the matter of : Mohamuddin Nobi & Anr.

... Petitioner(s)

Sk. Hossain Ali

... for the petitioner(s)

Mr. Amajit De

Ms. Arushi Rathore

... for the State

Learned advocate for the petitioners submits that the petitioners have been implicated in the present case as the subject-matter relates to an agreement for purchase of a property. The price fixed for the property was Rs. 60 lakh, out of which, Rs. 25 lakh was paid in advance. There is subject-matter of bank loan also which has been the basis of the complaint.

I have taken into account the materials appearing in the case diary including the statement as well as the application under section 175(3) of the BNSS.

Learned advocate for the petitioners again submits that the nature of the dispute has civil flavor and the

criminal case has been instituted only for harassing the present petitioners.

Learned advocate for the State opposes the prayer for bail and produces the case diary.

There are statements appearing in the case diary as well as certain documents of the bank authorities.

Having regard to the materials appearing in the case diary, I am of the view that custodial detention of the present petitioners may not be warranted in the facts and circumstances of the case.

Hence, the prayer for anticipatory bail of the petitioners is **Allowed**.

Accordingly, I direct that in the event of arrest, the petitioners [**Mohamuddin Nobi** and **Rajaba Khatun**] be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty thousand only) **each**, with two sureties of like amount each, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The petitioners shall make themselves physically available for the sake of the investigation and inform the Investigating Officer regarding their address and availability. The Investigating Officer of the case will be at liberty to

serve notice upon the present petitioners for their appearance.

In case of any violation of the aforesaid conditions, the affected party/parties is/are granted liberty to pray for cancellation of the liberty granted to the present petitioners.

Accordingly, CRM (A) 2590 of 2025 is **allowed**.

Memo of Evidence submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)