01.10.2026
Item No.5
(ct. no.34)
sg

CRM(A) 3198 of 2026

Tilak Kumar Chakraborty
Vs.
The State of West Bengal

In re: An application for bail under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sutahata Police Station Case No. 263 of 2026 dated 25.07.2026 under Sections 420/468/467/340(2)/506/120B of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Chief Judicial Magistrate-II, Haldia Sub-divisional Court.

Mr. Sandipan Ganguly, sr.adv.
Mr. Arkadeb Bhattacharjee

...For the petitioner.

Mr. Kallol Mondal
Mr. Anamitra Banerjee
Mrs. Shalu Gupta

...For the State.

1. Memo of evidence filed be kept with the record.

2. Apprehending arrest in connection with Sutahata Police Station Case No. 263 of 2026 dated 25.07.2026 pending under Sections 420/468/467/340(2)/ 506/120B of the BNSS pending before the learned court of Additional Chief Judicial Magistrate-II, Sub-divisional (Court) this application is filed praying for anticipatory bail.

3. The petitioner was elected as a Member of West Bengal Legislative Assembly from Mahishadal Assembly constituency in the District of Purba Mednipore during the previous regime. The Learned Senior Advocate representing the petitioner submits he has been falsely implicated in this due to political enmity which is apparent by the successive applications filed on behalf of the prosecution starting from June 2026 with the similar nature of allegation one after another and the manner in which such cases have been initiated glaringly manifest the falsity of the complaint .

4. It is further submitted by the learned senior Advocate, Mr. Sandipan Ganguly that the petitioner has been made a victim of a palpably malafide and politically motivated prosecution . He was arrested on 3.6.2026 in connection with Mahishadal P.S Case no 213 of 2026 dated 3.6.2026 at 10.35pm .No ground of arrest in writing nor any written communication stating the grounds were furnished to him or his family members . While in custody the prosecution proceeded to show petitioner arrested in connection with Mahishadal Police Station Case no 200 of 2026 dated 29.5.2026. He was granted bail in connection with Mahishadal P.S case no 213 of 2026 but on the same day the prosecution took time to produce Case diary and

the bail application in Mahishadal P.S Case no. 200 of 2026 but before the petitioner could be released on bail in terms of the order passed by the Learned Magistrate the Mahishadal police on the very next date proceeded to show the petitioner arrested in connection with another falsecase being Mahishadal case no 242 of 2026 . The petitioner was released in connection with mahishadal P.S Case no 200 of 2026 but he remained behind bar in connection with Mahishadal Case no 242 of 2026 dated 19.6.2026. After that the instant case was started in order to keep the petitioner behind bar.

5. Learned Senior Advocate in this regard relied upon the decision of the Hon'ble Supreme Court reported in 2026 SCC Online SC 208 Binay Kumar Singh and Another Vs. State of Jharkhand and Others and prays for anticipatory bail .

6. Learned prosecution raises objection and submits that he has several criminal antecedents and the similar nature of complaints were lodged by the several persons against him and being influential person if the anticipatory bail is allowed the entire investigation will be highly prejudiced.

7. Having heard the learned counsel and going through the materials on record and the case diary it is apparent

that successive cases were initiated since June 2026 with the similar allegation of inducing the complainant to pay hefty amount with the false assurance to give government job.

8. On careful perusal of the complaint and the material on Case diary it is evident that in this case as well, as the other case the I.O did not even seized the original joining letter which was alleged to be handed over to the complainant. Most importantly the entire case rests on a photocopy of the letter collected by the I.O which was sent for verification before the Municipality. At any point of time I.O. never attempted to seize the original joining letter when the complaint it was specifically mentioned by the complaint that fake joining letter issued to him.

9. Entire facts and circumstances and the nature of allegations leveled and the mode and manner in which cases have been lodged and the lack of specification or any materials to support the prosecution case as of now this Court is of the view that custodial interrogation in this case is not necessary

10. This CRM(A) 3198 of 2026 is allowed in part thereby granting interim anticipatory bail to the petitioner till 30 November 2026 . On condition that the petitioner shall comply with the stipulations in section

482(2) of BNSS Hence in the event of arrest the petitioner shall be released on bail upon furnishing a bond Rs. 30,000/-(Thirty Thousand) with two sureties of like amount each , one of whom must be local subject to satisfaction of the Arresting Officer. Additionally,

i. *The petitioner shall provide the address of their residence as well as their phone numbers to the Investigating Officer as well as learned Trial Court.*
ii. *He will not enter into the jurisdiction Sutahata Police Station, Purba Medinipur excepting taking permission of the I.O. and fully cooperate with the I.O and shall not tamper with the evidence .*
iii. *He will meet the I.O once in a week or as and when required for the purpose of investigation.*
iv. *In the event violation of any of the above mentioned condition this interim order of anticipatory bail will be treated as cancelled without further making any reference to the Court.*

11. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

12. Criminal Section is directed to supply urgent certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das)]