

09.01.2026
Court No.28
Item No.9
ssi

CRM (A) 3701 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chinsurah Police Station Case No. **206 of 2024** dated **21.05.2024** under Sections **420/406/120B/465/467/468/504/34** of the Indian Penal Code.

And

In the matter of: **Ashim Kumar Dey @ Asim Dey.**

....Applicant/Petitioner.

Mr. Saswata Gopal Mukherjee, Sr. Adv.
Mr. Aniket Mitra

...for the petitioner

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
Mr. Satadru Lahiri
Mr. Rohan Bavishi

...for the de facto

Mr. Sanjay Banerjee
Ms. Pallavi Priyadarshee

..for the State

Report filed on behalf of the State is taken on record.

It does not appear that bank accounts were opened by using forged or fake documents.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a bank officer. Pursuant to the request of the de facto complainant, the petitioner had helped him in banking matters. Some of his shares in physical form were dematerialized. As some others were left to be worked upon, the petitioner referred him to an agent who thereafter allegedly committed fraud. The said person being the principal accused is still in custody. Most of the relevant materials in question have been collected during investigation.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He refers to the

earlier report filed by the State in connection with the writ petition and submits that a fake account was created at the behest of the present petitioner. The present petitioner was also instrumental in committing the fraud. He is also one of the prime accused in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he also relies on the report and submits that the accounts that were alleged to have been created with fake documents have been found to have been created in accordance with law. The principal accused is in custody and seizures have been done in respect of several documents. It appears that out of the documents in question have already been seized and the principal accused is in custody.

Considering the above, the other materials available in the case diary and the alleged role ascribed to the present petitioner, 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, the application for anticipatory bail of the petitioner is allowed.

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 so 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.

The presence of the Investigating Officer is noted and is dispensed with.

(Jay Sengupta, J.)