

21.01.2026
Sl. No.17
Ct. 28
NB

C.R.M (A) 4077 of 2025

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 Panchasayar PS Case No.27/2025 dated 19.04.2025 under Sections 120B/420/406/419 of the Indian Penal Code, 1860.

And

In the matter of: Anand Kumar Mandan ... petitioner

Mr. Shantanu Awasthi,
Mr. Sayantan Sinha,
Mr. Karan Daga.
...for the petitioner.

Ms. Rituparna De Ghose,
Mr. Sarthak Mondal.
...for the State.

Dr. Soumya nag,
Mr. Aditya Tiwari,
Mr. A. Chakraborty.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There is a delay of about 5 years in registering the FIR. It is alleged that the petitioner was an employee of the de facto complainant's concern and was siphoning off money, either by adjusting his loan with the commission to be paid or by giving unauthorized discount to persons from whom the goods were procured. The employment of the petitioner was thereafter terminated. The petitioner has been falsely implicated in this case. The dispute, if at all, is purely civil in nature. Now since the time to pray for filing a money suit is over, an FIR is being lodged. Two other co-accused were granted anticipatory bail. The petitioner has

already complied with the notices issued by the Investigating Officer.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioner had pleaded for time to repay the amount and had taken excuses of citing exigencies in his family. This has prompted the petitioner not to file any FIR for a considerable period of time.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She relies on the statements of the witnesses and documents. She also relies on the social media chat exchanged between the two, on the issue that there was a promise that money would be paid at a later point of time.

Considering the above, the other materials available in the case diary, the fact that there was a delay of about 4 years in registering the FIR and the fact that the petitioner has been cooperating with the investigating by responding to the notices given by the Investigating Officer, 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 present 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 fortnight 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.)