

22.01.2026
Sl. No.45
Ct. 28
NB

C.R.M (A) 4394 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 Dum Dum PS Case No.1692024 dated 03.05.2024 under Sections 120B/420/406/34 of the Indian Penal Code, 1860.

And

In the matter of: Tonmoy Das ... petitioner

Md. Shamimuddin,
Ms. Sana Parveen.
...for the petitioner.

Mr. Debabrata Chatterjee,
Ms. Smita Saha.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is only an engineer who went to inspect the place where the lift was to be installed. The allegation is about not installing the lift as agreed. The Directors of the Company in question who are the principal accused have been granted bail upon surrender. The petitioner has complied with the notices issued.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses and the other materials available in the case diary.

Considering the above, the other materials available in the case diary, the fact that the principal accused surrendered and were granted bail, the alleged role ascribed to the present petitioner and the fact that charge sheet has already been submitted, 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 not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date

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.)