

Criminal Misc. Case No. 41 of 2026
CNR – WBCS01-000171-2026
Present: Shrutirupa Ghosh (Majee)
Chief Judge, in-charge,
Addl. Dist & Sessions Judge,
Fast Track Court No. 2,
City Sessions Court, Calcutta
JO Code No. WB00821

Order No. 02 dated 25.03.2026

1. Ld. PO has been retained on duty in the courts during the upcoming process of Special Intensive Revision (S.I.R.) by the Hon'ble Court, Calcutta in view of the order dated 20.02.2026 passed by the Hon'ble Supreme Court of India in Writ petition(s) Civil Number(s)1089 of 2025 with W.P. (C) Number-126/2026, W.P. (C) Number-129/2026(PIL-W), W.P. (C) Number-737/2025(PIL-W), W.P. (C) Number-1074/2025 (PIL-W), W.P.(C) Number-1088/2025 (PIL-W), W.P.(C) Number-1216/2025(PIL-W), W.P.(C) Number-159/2026(PIL-W), W.P.(C)Number-119/2026 (PIL-W). I am in charge.
2. In this criminal Misc. case under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused/petitioner namely, **Shailabh Kumar** who apprehends his arrest in connection with **Shakespeare Sarani** Police Station case No. **15** dated **29.01.2026** under sections **61(2)/316(2)/318(4)** of the Bharatiya Nyaya Sanhita, 2023 has come up with a prayer for grant of anticipatory bail.
3. At the very outset, Ld. Advocate for the accused/petitioner submits that no application for anticipatory bail has either been rejected by the Hon'ble High Court at Calcutta or is pending for disposal before the Hon'ble Court.
4. Ld. Advocates for the accused/petitioner submits that there is a business transaction between the parties for a long time and this accused/petitioner has been falsely implicated in this case. He further submits that matter of dispute between the parties are totally civil in nature and custodial interrogation is not required. So, he prays for anticipatory bail of the accused/petitioner.
5. Ld. Chief Public Prosecutor vehemently opposes the prayer for anticipatory bail of the accused/petitioner and submits that he did not cooperate with the investigation by complying with the notice under section 35(3) of the BNSS. So, he prays for rejection of the anticipatory bail prayer of the accused/petitioner.
6. Ld. Advocate representing the de facto complainant also opposes the anticipatory bail prayer of the accused/petitioner and submits that this accused/petitioner cheated the de facto complainant and misappropriated huge amount of money and moreover, they had sent around two hundred mails to the accused but he never responded.
7. I have carefully perused the case record and the materials appearing in the case diary.
8. Considering the nature of the offence, the role played by the accused/petitioner in the alleged offence and stage of investigation, I am of the view that custodial interrogation of the accused/petitioner is necessary.
9. Accordingly, the prayer for anticipatory bail of the accused/petitioner **Shailabh Kumar** stands **rejected**.
10. Case diary be returned at once.
11. Misc. Case is disposed of.
12. Let a copy of this order along with the TCR be sent down to the Court concerned.
13. Let a copy of this order be also sent to the I/O through Ld. Public Prosecutor for information.

D/C by me

Chief Judge (I/C)
City Sessions Court, Calcutta.

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