15.10.2026
Serial no. 5
[DC/**G.S.Das**]
Assistant Registrar
(Court)

CRM (A) 1704 of 2026

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **G.R. (NS) No. 394 of 2026 arising out of Bowbazar PS Case No. 102 of 2026 dated June, 9, 2026 u/s 316(2)/318(4)/336(2)/ 336(3)/338/340(2)/61(2) of the BNS.**

-And-

In the matter of : Indranil Sen

… Petitioner(s)

Mr. Jishnu Saha, Sr Adv.
Mr. Ayan Poddar
Mr. Soham Dutta
Mr. Shounak Mondal
Ms. Gargi Mukhopadhyay

… for the petitioner(s)

Mr. Rajdeep Mazumdar, ld. AAG
Mr. Kallol Mondal, PP
Mr. Aditya Tiwari
Mr. Moyukh Mukherjee
Mr. Sayan Mukherjee
Mr. Koustav Lal Mukherjee

… for the State-respondent(s)

Mr. Atanu Ghosh

… for the defacto-complainant

1. Mr. Saha, Learned Senior Advocate appearing for the Petitioner, submits that on the professional front the Petitioner was a singer and former Minister of the State, Information and Cultural Affairs, Government of West Bengal (May, 2021 – May, 2026), Minister of State, Tourism

Department, Government of West Bengal, (27th May, 2021 – 3rd August, 2023 and from July, 2024 – 4th May, 2026) and was the former Minister of the State (Independent Charge), Technical Education, Training and Skill Department (August, 2023 – May, 2026) and also erstwhile Chairperson of the West Bengal Tourism Development Corporation.

2. The Petitioner was arrayed in the present case on the basis of information furnished by one Joydip Mukherjee to the Officer-in-charge, Bowbazar Police Station accusing that the Petitioner cheated the common people in the name of religion from 2022 -2024 through an organization named Mahanirban Road Mass Art Society (in short, "Mass Art") which falsely claimed to the common people about its association with UNESCO for the purpose of selling tickets of preview shows.

3. Learned Senior Advocate submitted that the FIR is vague, bereft of any detail relating to the nature, extent, manner, period, and particulars of the accusations. There is not even a whisper in the FIR as to whether the support of the Petitioner to the society was financial, administrative, promotional, advisory or otherwise. No specific role or overt act has been attributed to the Petitioner. The allegations are bald, vague and incapable of attracting any criminal liability.

4. Learned Senior Advocate by filing Supplementary Affidavit on two separate occasions tried to demonstrate that

the sale of ticket or donor passes were minimal and the same did not require the support of the Government or the Minister.

5. Additionally, it has been submitted that Petitioner has been associated with Mass Art as his wife is an office-bearer of the society. It has been contended that Petitioner, being a professional singer, had substantial earnings and the same is reflected from the declared assets of the present petitioner. So far as the other aspects pertaining to the usage of the UNESCO logo is concerned, the permission relating to the same has been documented.

6. While rebutting the submission of the Learned Additional Advocate General, the petitioner contended that so far as the issues relating to the tenders are concerned, an accusation has been made against the petitioner relating to his association/relationship with Third Line Creation. In respect of participation of Third Line Creation in the tender process(s), it was submitted that the said organization being Third Line Creation participated in bidding process and were awarded tenders on 40/45 occasions prior to the petitioner taking charge as Minister of Information and Cultural Affairs, Government of West Bengal. The Petitioner has been foisted with the criminal case only due to change in Government and the case as presently represented by the State is based on a different set of materials in comparison to the initial complaint, which was treated as the FIR of the instant case.

7. Finally, it was submitted that the case is solely based on documents which are in the custody of the investigating agency. Further, presently, the petitioner is not a Minister, and as such, there is no possibility of tampering any evidence. Hence, custodial interrogation of the present petitioner is not required in the facts of the present case.

8. Learned Additional Advocate General appearing on behalf of the State submitted that the Petitioner has abused his official position and has layered money which belonged to the Government, wherein Mass Art is one of the shell organizations used for routing or parking the money, and thereafter channelizing/diverting the same to his own account, and the accounts of his wife and daughter. The office-bearers of such organization, who are the petitioners in other applications, are associated with the bidding Companies, who participated in the tender process and were awarded tender during the tenure of the present Petitioner as a minister. On behalf of the State, it was demonstrated that only three companies received or were awarded tenders during the tenure of the Petitioner as Minister out of which GIDI Creation had no infrastructure or skill to carry out the work and the tender job was forwarded to Third Line Creation. The flow of money would reflect that from the Ministry of Information and Cultural Affairs, GIDI Creation was awarded tender worth Rs. 53.46 Crore and out of the said amount, Rs. 50.31 Crore was paid to Third Line Creation and Rs. 4.5 Lakh

was transferred to Mass Art. Third Line Creation also made payments of Rs. 66 Lakh to Mass Art Society; another sum of Rs. 22.47 Lakh was paid to the account of ISCAPE and Myra, which were entities controlled by the daughter of the Petitioner. A sum of Rs. 128 Lakh was also shown to have been forwarded to the account of the present petitioner. It is claimed by the State that investigation is at the nascent stage and the sums which have surfaced are on the basis of calculation till date and the State expects this sum to increase with passage of scrutiny, which is continuing.

9. Having heard Learned Senior Advocate for the Petitioner as well as the Learned Additional Advocate General for the State and after taking into consideration the materials appearing in the case diary, I find that State has been able to demonstrate a nexus between the Petitioner and the two entities being GIDI Creation and Third Line Creation. It has also been shown that the other office-bearers of Mass Art Society not only included the wife of the Petitioner but also Directors/persons responsible for day-to-day conduct of the business of the entities which were awarded tenders by the Information and Cultural Affairs Department during the tenure of the Petitioner being in office.

10. The State's claim that Petitioner has abused his official position while discharging his duties, at this stage, cannot be ruled out. Additionally, criminal investigation is never

a complaint-specific investigation, and if, in course of investigation, the investigating agency has been able to unearth an offence, it is the duty of the investigating agency to carry out the investigation. There are trappings of corruption, as government money was diverted through tender process which has enriched the Petitioner and his family members. Petitioner was at the helm of affairs and was primarily responsible being a government servant i.e. the Minister of Information and Cultural Affairs Department.

11. Having regard to the merits of the case, I am of the opinion that the Petitioner has failed to make out a case in respect of the relief(s) prayed for.

Hence, the prayer for anticipatory bail of the petitioner [**Indranil Sen**] is **Rejected.**

Accordingly, CRM (A) 1704 of 2026 is dismissed**.**

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)