

14.12.2021

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**C.R.M. 5561 of 2021  
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Complaint Case No. CS/29375/21 under Sections 406/420 of the Indian Penal Code.

And

In Re : Sri Santanu Chakraborty ..... petitioner

Mr. Achyut Basu  
Ms. Punam Basu  
Ms. Sonam Basu  
Mr. Srikumar Chakraborty  
.....for the petitioner

Mr. Neguive Ahmed, learned APP  
Ms. Trina Mitra  
....for the State

We have considered the submission made by the learned Counsel appearing for the petitioner. He submits that the dispute is civil in nature and ingredients of offence of cheating are not disclosed in the facts of the case.

Learned Counsel appearing for the State submits that prosecution has been launched on the basis of a private complaint.

Under such circumstances, we give liberty to the petitioner to appear before the court below and pray for regular bail. In the event the petitioner appears before the court below within fortnight from date, such court shall consider his prayer for regular bail in accordance with law.

Accordingly, application for anticipatory bail is disposed of.

**(Bivas Pattanayak, J.)**

**(Joymalya Bagchi, J.)**