

**CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI**

**21.09.2021**

Court No.01  
rpan / **42**

**C.R.M. 301 of 2021**

In Re:- An application for anticipatory bail under section 438  
of the Code of Criminal Procedure;

And

In Re : **Manjeet Singh**  
- Petitioner.

Mr. Kunaljit Bhattacharjee,  
Mr. Abhishek Palit

... for the petitioner.

Mr. Nilay Chakraborty,  
Mr. Saikat Chatterjee

... for the State.

Apprehending arrest in connection with Siliguri Police Station  
Case No.645 of 2014 dated 08.12.2014 under Section 406/409 of the  
Indian Penal Code, 1860, the petitioner has filed the present  
application.

The learned advocate appearing for the petitioner submits that  
the allegation against the petitioner was that the provident fund  
contributions of the employees were not deposited by the petitioner,  
who is running a restaurant. He further submits that the amount was  
not deposited mistakenly. However, during pendency of the present  
application, the said amount of Rs.1,48,218/- had already been  
deposited, as would be explicit from the document annexed at page 13  
of the application. In the said conspectus and since upon completion  
of investigation, charge-sheet has also been submitted, custodial  
interrogation of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer. However, he does not dispute the fact that the dues have already been paid by the petitioner.

Having heard the learned advocates appearing for the respective parties and considering the fact that the dues have already been paid and as it is not likely that the petitioner would delay the trial by abscondance, we are of the view that custodial interrogation of the petitioner is not warranted in the facts and circumstances, more so when, upon completion of investigation, charge-sheet has also been submitted.

Accordingly, we direct that in the event of arrest, the petitioner **Manjeet Singh** 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 the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM 301 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Abhijit Gangopadhyay, J.)      (Tapabrata Chakraborty, J.)**