

22.08.2023  
(M/L 284)  
Ct. No.29  
Allowed  
(SKB)

**CRM (A) 3087 of 2023**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with English Bazar P.S. Case No.876 of 2019 dated 30.08.2019 under Sections 406/417/418/420/421/422/464/465/468 of the Indian Penal Code.

In the matter of : Siddhartha Gangopadhyay  
... petitioner

Mr. Milon Mukherjee, Sr. Adv.  
Mr. Avinaba Patra  
... for the petitioner

Ms. Anasuya Sinha,  
Ms. Mayukhi Mitra  
... for the State

1. Heard the learned Counsel for the parties.
2. Chief Manager of Bank of India is the informant. From the CD it is found that the main allegation is against the brother of the present petitioner. It is fairly submitted at the Bar that the present petitioner is complying with the notice issued by the IO under Section 41A Cr.P.C. sacrosanctly.
3. It is submitted by Mr. Mukherjee, learned Sr. counsel for the petitioner that the entire property of the petitioner which was mortgaged has already been taken over by the Bank under SARFAESI Act, 2002 towards adjustment of the loan amount.
4. We are, however, not on this point.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of

allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions:

- i) The petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

- 6. Accordingly, the prayer for the anticipatory bail is allowed.
- 7. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
- 8. The application being CRM(A) 3087 of 2023 is disposed of.
- 9. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**