

25.08.2023
ML. 465
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3284 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Burtolla** Police Station Case No. **05 of 2022** dated **04.01.2022** under Sections **120B/419/420/467/465/468/471** of the IPC.

And

In the matter of: **Jhora Begum**

....petitioner.

Mr. Soumyajit Das Mahapatra
Mr. Soumya Basu Roy Choudhury

...for the petitioners.

Mr. Koushik Kundu

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner was sanctioned with loan of rupees about nine lakhs. The petitioner is stated to have repaid the loan through 15 E.M.I.s amounting to rupees about two lakhs.
3. The present FIR has been lodged by the Bank Manager on the ground that the petitioner had supplied fake documents at the time of sanction of loan and the matter came out at the time of internal audit.
4. From the accounts statement filed by the petitioner it is found that the petitioner is repaying the E.M.I.s regularly and all the documents alleged to be fake are now in the custody of the Bank.
5. As the sanction of loan is found to be illegal, the Bank has the authority to take needful action for recovery of the same in accordance with the bank's rules and regulations.
6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, quantum of punishment prescribed and substantial progress

in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of her 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 that:

- i) The petitioner is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of F.F.
- ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O.

7. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
8. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
9. Accordingly, the prayer for the anticipatory bail is allowed.
10. The application being **CRM (A) 3284 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

