

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

08.12.2023.
16/tkm

C.R.M. (A) 967 of 2023

In Re : An application for anticipatory bail under section 438 of the
Code of Criminal Procedure in connection with Matigara P.S case no.
800 of 2023 dated 28.9.2023 under sections 406/420 of the IPC
And

Allowed

In Re : Ramadhar Singh

.....petitioner

Mr. Hillol Saha Podder
Mr. S Bhowmik
Mr. S K Singh

...for the Petitioner

Mr. Nilay Chakraborty
Ms. Namrata Das

...for the State

1. Petitioner submits that the instant case arose out of a commercial transaction. There is part payment to the de facto complainant. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the material on record. De facto complainant had given a loan of Rs. 5,00,000/- to the petitioner. It is contended a portion of the loan has been repaid. In this factual backdrop it is to be ascertained whether the petitioner had dishonest intention from the inception of the transaction to attract ingredients of the alleged offences.
4. Keeping in mind the aforesaid facts we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond

of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 967 of 2023 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)