

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

12.12.2023.
18/tkm

C.R.M. (A) 986 of 2023

In Re : An application for anticipatory bail under section 438 of the
Code of Criminal Procedure in connection with Siliguri P.S case no. 842
of 2023 dated 10.10.2023 under sections 408/420/468/120B IPC
And

Allowed

In Re : Bikash Mittal

.....petitioner

Mr. Rajdeep Majumder
Mr. A Das
Mr. Rajdeep Das

...for the Petitioner

Mr. Abhijit Sarkar
Mr. Tapan Bhattacharjee
Mr. Arjun Chowdhury

...for the State

1. Petitioner submits that loan had been advanced on the strength of forged documents to one Nawal Agarwal who is on regular bail. Forged documents are in the custody of the investigating agency. He prays for anticipatory bail.

2. Learned lawyer for the State opposes the prayer for anticipatory bail. He submits petitioner was the agent who had arranged the loan. He had procured the forged documents used to obtain loan. His custodial interrogation for progress of investigation is necessary.

3. We have considered the material on record. Loan had been advanced to one Nawal Agarwal on the strength of forged documents. The said Nawal Agarwal is presently on regular bail. Alleged forged documents submitted for the purpose of taking loan are in the custody of instigating agency. It may not be out of place to note that the documents submitted by the applicant for the purpose of

loan ought to have been verified by the loan manager. In this backdrop we are of the opinion custodial interrogation of the petitioner is not necessary but he requires to co-operate with investigation in accordance with law.

4. 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 and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.

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

6. The application being CRM (A) 986 of 2023 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)