

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

15.12.2023
Sl. No.24
[ALLOWED]
as

C. R. M. (A) 1016 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Siliguri Police Station Case No. 842 of 2023 dated 10.10.2023 under Sections 408/420/468/120B of the Indian Penal Code.

In Re: ***Tanmay Agarwal.***

... .. Petitioner

Mr. Sayan De,
Mr.Sayan Kanjilal
Ms. Esha Acharya.

... .. for the petitioner

Mr. Abhijit Sarkar,
Mr. Saikat Chatterjee.

... .. for the State

1. Petitioner contends that the loan had been granted to one Nawal Agarwal who is on regular bail. He has no role to play in the matter of granting loan on the strength of forged document. He prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He contends a portion of the loan amount had been transferred to the wife of the petitioner.
3. We have considered the materials on record. Allegations involve use of forged documents to obtain a loan. Loan had been advanced to one Nawal Agarwal who is presently on bail. Though some money had been transferred in favour of his wife, there is nothing on record to show petitioner was aware of the circumstances in which the loan had been advanced to Nawal Agarwal.

4. In this backdrop, we are of the opinion though custodial interrogation is not necessary, petitioner requires to co-operate with the investigation.

5. Accordingly, we direct that in the event of arrest, the petitioner ***Tanmay Agarwal*** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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. The application for anticipatory bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)