

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

15.12.2023
Sl. No.27
[ALLOWED]
as

C. R. M. (A) 1023 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: ***Sri Vivek Agarwal.***

... .. Petitioner

Mr. Subham Ghosh,
Mr. M. Roy.

... .. for the petitioner

Mr. Nilay Chakraborty,
Mr. Chattu Roy.

... .. for the State

1. Petitioner is a Chattered Accountant. He contends that he had no knowledge with regard to the authenticity of the documents which were used by co-accused viz., Nawal Agarwal to procure loan. The said Nawal Agarwal is on bail. He prays for anticipatory bail
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Petitioner is a professional Accountant. It is alleged that loan was advanced to his client Nawal Agarwal on the strength of forged documents. It was the duty of the bank officer to verify the documents prior to sanction of loan. Petitioner did not certify the authenticity of the documents nor did he play any role in the sanction of the said loan.
4. Keeping in mind the extent of complicity of the petitioner, we are of the opinion he may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioner ***Sri Vivek 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.)