

**In the High Court At Calcutta
Jalpaiguri Circuit Bench**

CRM (A) 798 of 2024

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Falakata Police Station** Case No. **141 of 2024** dated **02.04.2024** under Sections **406/420/506** of the Indian Penal Code.

- A n d -

In the matter of : Sanjib Mandal

.... Petitioner.

Mr. Hillol Saha Poddar,
Ms. Mousumi Das,

... For the Petitioner.

Mr. Nilay Chakraborty, Ld. APP,
Mrs. Sukanya Adhikary,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The defacto complainant had purchased a motor car on hire purchase basis. He, thereafter, sold the car to the present petitioner on the understanding that the petitioner shall pay the remaining installments. The allegation is that the petitioner has stopped paying the installments. Hence, the present complaint.
2. We have heard learned Counsel for the parties. The dispute appears us to be of a civil nature.
3. Considering the facts and circumstances of the case, in our opinion, custodial interrogation of the petitioner may not be necessary, so long as the petitioner cooperates with the Investigating Officer.
4. Accordingly, in the event of arrest, the petitioner, namely, **Sanjib Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall

abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioner shall report to the Investigating Officer of the concerned Police Station once in a fortnight until further orders.

5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

6. CRM (A) 798 of 2024 is, thus, disposed of.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)