

03.01.2025
31.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 12 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haringhata Police Station Case No. 433 of 2024 dated 15.08.2024 under Sections 420/467/468/471/406 of the IPC.

And

In Re: **Tanmoy Sarkar.**

..... Petitioner

Mr. Shibaji Kr. Das,
Mr. Dipendu Sarkar,
Ms. Deblina De.

... ... for the petitioner

Ms. Rituparna De Ghose,
Ms. Suchismita Dutta,
Ms. Manashi Roy

... ... for the State

1. Petitioner contends the instant case arose out of a matrimonial dispute. Earlier a criminal case alleging cruelty was lodged by the *de facto* complainant. Presently, she has alleged her signatures were forged to obtain a bank loan. Petitioner submits the loan has since been cleared. Accordingly, he prays for anticipatory bail.

2. Learned lawyer for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. A matrimonial dispute has given rise to a series of litigations between the parties. Initially, a criminal case alleging cruelty was lodged by the *de facto* complainant. Thereafter, the present case was registered alleging the wife's signatures had been forged to obtain bank loan. However, documents annexed to the petition

show the loan has been cleared and there is no outstanding liability.

4. Under such circumstances, we are of the opinion custodial interrogation is not necessary and petitioner may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioner **Tanmoy Sarkar** 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

[Shampa Dutt (Paul), J.]

[Joymalya Bagchi, J.]