

09.01.2025
Sl. No.40
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C. R. M. (A) 65 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mogra Police Station Case No.336 of 2024 dated 28.6.2024 under Sections 417/420/406/465/467/468/471/448/34 IPC.

And
In Re: **Sitaram Das & Anr.** Petitioners

Mr. Ranjan Kali
Ms. Mitul Chakraborty
Ms. Payel Nath
... .. for the petitioners

Mr. Jaydeep Biswas
Ms. Rajashree Tah
... .. for the State

1. Petitioners submit they had taken a loan from the complainant bank. An original proceeding was instituted by the bank before the Debt Recovery Tribunal to recover the dues. A compromise decree upon settlement was passed and has been substantially executed. At this stage the criminal case has been registered. Petitioners pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer. He submits petitioners had taken a home loan but utilized the same for commercial purpose.
3. We have considered the materials on record. A compromise decree had been passed between the petitioners and the complainant bank. The amount has been substantially realized. Investigation relates to documents and does not require custodial interrogation.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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 BNSS 2023 and on further condition that the petitioner no. 1 Sitaram Das while on bail shall meet the investigating officer once in a week until further orders.
6. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. The application being CRM (A) 65 of 2025 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)