

**In the High Court At Calcutta
Jalpaiguri Circuit Bench
CRM (A) 134 of 2025**

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Siliguri Police Station** Case No. **1067 of 2024** dated **26.11.2024** under Sections **406/417/420/120B** of the Indian Penal Code.

- A n d -

In the matter of : Shyam Sundar Sutradhar

.... Petitioner.

Mr. Sourav Ganguly,
Mr. D. Dhar,
Ms. Rishita Chakraborty,
Ms. Taniya Bhowmick,

... For the Petitioner.

Mr. Nilay Chakraborty,
Mr. Arjun Chowdhury,

... For the State.

1. Learned Advocate for the petitioner says that a civil dispute has been given a criminal colour. The allegation is that the petitioner and one Bikramjit Das borrowed money from the defacto complainant. In two installments Rs. 10 lacs was allegedly lent by the defacto complainant to the petitioner and Bikramjit Das. The said persons having failed to repay the amount, this false complaint has been lodged.

2. Learned Advocate for the petitioner further says that Section 406 and 420 of the Indian Penal Code cannot go together. In any event, the petitioner is prepared to fully cooperate with the Investigating Officer.

3. Learned State Advocate, while opposing the prayer says that the police visited the house of the petitioner but found nobody. He is evading the police.

4. I have considered the material in the case diary and the nature of the allegations.

5. On an overall assessment of the material on record including the contents of the FIR and the statements of witnesses recorded by the Investigating Officer, I am of the view that immediate custodial detention of the petitioner is not necessary so long as he fully cooperates with the Investigating Officer.

6. Accordingly, in the event of arrest, the petitioner, namely **Shyam Sundar Sutradhar** 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/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 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.

7. In case the petitioner fails to adhere to any of the conditions mentioned hereinabove or in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

8. The application for anticipatory bail being CRM (A) 134 of 2025 is disposed of.

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

(Arijit Banerjee, J.)