

45. 03.04.2025
Court
No.1 (Papiya)

Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (A) 213 of 2025

In Re: - An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Pradhannagar Police Station Case No. 75 of 2025** dated **01/02/2025** under Sections **406/420/120B** of the Indian Penal Code, 1860.

And

In the matter of: - **Domanica Tamang**

...petitioner.

Mr. Dr. Arjun Chowdhury, Adv.
Ms. Riya Agarwal, Adv.
Mr. Manta Mandal, Adv.
Mr. Bappaditya Roy, Adv.

...for the petitioner.

Mr. Abhijit Sarkar, Adv.
Mr. Sourav Ganguly, Adv.

...for the State.

1. The petitioner says that there is no criminal angle to the present dispute between the de-facto complainant and the petitioner. The de-facto complainant had deposited Rs. 25 lakhs with the partnership firm which was constituted by the petitioner and the de-facto complainant. The understanding was that the money will be treated as security deposit and will be returned, to the de-facto complainant. However, since the business of the firm is suffering loss, the entire money could not be returned. Hence this complaint has been lodged.
2. Learned State Counsel draws my attention to the partnership deed executed by and between the de-facto complainant and the

petitioner. He also shows the statements of witnesses recorded under Section 161 Cr. P.C. Apparently, two persons threatened the de-facto complainant on behalf of the petitioner requiring her to withdraw the criminal complaint. However, it does not appear that any complaint has been lodged regarding such alleged threat.

3. I have considered the facts and circumstances of the case. On an overall assessment of the material on record, I am of the view that this is not a case where immediate custodial interrogation of the petitioner is necessary so long as she cooperates with the investigation.
4. Hence, I allow the prayer of the petitioner for anticipatory bail.
5. Accordingly, in the event of arrest, the petitioner, respectively namely, **Domanica Tamang**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, 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. Within seven days from date, the petitioner shall go and meet the Investigating Officer of this case and thereafter, she shall meet the Investigating Officer of this case as and when called for.
6. The application for anticipatory bail being CRM (A) 213 of 2025 is thus **allowed** and disposed of.

7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)