

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Criminal Miscellaneous Jurisdiction  
Appellate Side**

**19.08.2025.  
16  
Suman  
Ct. 01  
Allowed**

**CRM (A) 544 of 2025  
With  
CRAN 1 of 2025  
With  
CRAN 2 of 2025**

In re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Police Station Case No.442 of 2025 dated 05.07.2025 under Sections 316(2)/318(2)/318(4)/351(2)/61(2) of Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Siliguri, District-Darjeeling.  
And

In the matter of : **Pawan Kumar Sinhal and Anr.**  
... petitioners

Mr. Partha Ghosh  
Mr. Madhu Jana  
Mr. Arijit Ghosh  
Mr. Rahul Agarwala  
..for the petitioners

Mr. Suresh Kumar Mitruka  
Mr. Aayush Mitruka  
Mr. Sujit Swami  
Ms. Shruti Yadav  
..for the de facto complainant

Mr. Kallol Acharjee  
Mr. Aniruddha Biswas  
..for the State

Mr. Suresh Kumar Mitruka, learned advocate appearing on behalf of the de facto complainant, vehemently opposes the prayer for anticipatory bail.

It is submitted that the accused persons are partners of the jewellery shop in question. They allegedly received a sum of Rs.85,00,000/- (Rupees Eighty-Five Lakhs only) from the complainants under the false pretext of a gold jewellery scheme, and shortly thereafter, absconded after shutting down the said jewellery shop.

Learned counsel further contends that unless the petitioners are apprehended, the prospect of recovery of the defrauded amount would be severely diminished.

The learned advocate representing the State also opposes the prayer for anticipatory bail, submitting that the petitioners were involved in monetary transactions by floating a fraudulent jewellery scheme. It is further submitted that multiple complaints have been received by the police against the petitioners in connection with similar allegations.

It appears from the record that the petitioners were served with a notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, on July 8, 2025, which was duly complied with by the petitioners on July 17, 2025, during the pendency of the present bail application.

In view of the above facts and circumstances, I am of the considered opinion that custodial interrogation of the petitioners may not be warranted at this stage.

Accordingly, the prayer for anticipatory bail is allowed.

The petitioners, namely **Pawan Kumar Sinhal** and **Bijay Sinhal**, in the event of arrest, shall be released on bail upon furnishing a bond of Rs.50,000/- (Rupees Fifty Thousand only) each, with two sureties of like amount, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The grant of bail shall be subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), and on the further condition that the petitioners shall report before the Investigating Officer once a week until submission of the charge-sheet.

In the event of any default in appearance, the jurisdictional court shall be at liberty to take appropriate steps to secure the presence of the petitioners, including cancellation of the anticipatory bail granted herein, without further reference to this Court.

Accordingly, **CRM (A) 544 of 2025**, along with **CRAN 1 of 2025** and **CRAN 2 of 2025**, stands disposed of.

Let an urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on the usual undertakings.

**(Kausik Chanda, J.)**

