

AD 4
March 24, 2026
Ct. 6
ssi

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CRM(A) 40 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Cooch Behar Cyber Crime Police Station Case No.09 of 2025 dated 23.06.2025 under Sections 318 (4)/319 (2) of the BNS.

And

In the matter of: *Sangram Kishor Swain*

... *petitioner*

Mr. Deep Chaim Kabir, Sr. Adv.
Mr. Md. Zeeshan Uddin
Mrs. Amrin Khatoon
Ms. Snigdha Ray

... for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Ujjwal Luksom

... for the State

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner is a businessman of Odisha. He had applied for a loan. Suddenly, a sum of Rs. 4 crores and odd came into his account. He was astonished. He made a complaint about this on 22.06.2026 and 23.06.2026 before the local police. They took no action. This prompted the petitioner to move the High Court at Odisha. The petitioner was directed to approach the CID by an order dated 22.08.2025. After the petitioner approached the CID, an FIR was registered. The same is being investigated. In the present case, the allegation is that a sum

of Rs. 10 lakhs, 50 thousand and odd had come to the account of the petitioner. This case was started pursuant to a complaint made by a person in Cooch Behar that in a case of online bank fraud, his money to the tune of Rs. 60 lakhs has vanished from his bank account. The petitioner complied with the first notice issued under Section 35 (3) of the BNSS. The bank account of the petitioner has already been frozen.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that although the petitioner complied with the first notice issued, he had sought time thereafter. Money came to the account of the petitioner in connection with the present case on 17.06.2025. In connection with the present case, a sum of Rs. 10 lakhs and odd came to the account of the petitioner.

It appears that so far as the present case is concerned, a complaint was lodged by the petitioner regarding unaccounted sums coming into his bank account on 22.06.2025 soon after such money came into the account of the petitioner. The bank account of the petitioner has been frozen. The petitioner had to approach the High Court at Odisha to activate the police to look into the anomalies.

Considering the above, the other materials available in the case diary and the fact that the petitioner has co-operated with investigation by responding to the first notice, I do not think that custodial interrogation of the petitioner is

required in this case and I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the Investigating Officer as and when required.

The application for anticipatory bail is, thus, allowed.

The presence of the I.O. is noted and is dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)