

GAHC010155852024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./2278/2024

PRASENJIT ROY
S/O SRI NIPEN ROY, DEPUTY GENERAL MANAGER, UCO BANK,
RECOVERY DEPARTMENT, KOLKATA HEAD OFFICE, R/O HOUSE NO. 4/23,
MORDECAI LANE, P.S./P.O.-DUMDUM, DIST- 24 NORTH PARGANA (WEST
BENGAL), PIN-700074

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M BORA, MR. M S HUSSAIN, MR. V A CHOWDHURY, MS.
S YASMIN, MR. M SHARMA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

12.08.2024

Heard the learned senior counsel Mr. A.M. Bora assisted by Mr. M. Sharma, learned counsel appearing for the petitioner. Also heard Mr. K.K. Parasar, learned Addl. Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 439 of the CrPC praying for bail by the petitioner Sri Prasenjit Roy in respect of Crime Branch P.S. Case No.01/2024 under Sections 120(B)/419/420/468/471/409 of the IPC.

3. One lady wanted a bank loan. Therefore, she took a help of the person called Indrajit Subhash Mazumdar. She handed over her land documents for availing the loan. Later on, she came to know that the UCO Bank, Silpukhuri Branch gave a loan to one Rafique Ali wherein the lady was shown as a guarantor. Thereafter, the loan became Non-Performing Asset (NPA). SARFAESI Notice was issued.

4. Said lady alleged that fraud was played upon her.

5. The present petitioner is a Bank employee.

6. Mr. Bora has submitted that the present petitioner had examined the documents only and on the basis of his report, his superior officer had sanctioned loan.

7. Mr. Parasar has pointed out that the petitioner had stated before police that a lady came to his Bank and put her signatures in the necessary documents. According to Mr. Parasar, the signatures were subsequently found to be not of the informant lady.

8. It may be mentioned that two persons, namely- Sri Indrajit Subhash Mazumdar and Rafique Ali are already released on bail.

9. This Court is of the opinion that the case diary has no sufficient materials against the present petitioner to justify his further detention in custody. Therefore, the bail application of the petitioner is allowed.

The petitioner Sri Prasenjit Roy is allowed to go on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The bail application is disposed of accordingly.

Send back the Case Diary.

JUDGE

Comparing Assistant