

**THE HON'BLE DR. JUSTICE SHAMEEM AKTHER**

**CRIMINAL PETITION No.10542 OF 2017**

**ORDER:**

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-accused for the offence alleged under Section 420 IPC.

2. Heard learned counsel for the petitioner, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner would submit that the offence alleged to have taken place on 04.04.2016, but a report was lodged with the police on 12.08.2016 and there is a delay. The entire case of the prosecution is false and ultimately prayed to grant bail to the petitioner under Section 438 Cr.P.C.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner.

5. As per the record, the petitioner worked in the firms of the de facto complainant for a considerable period and gained confidence among the family members of the de facto complainant and others and ultimately, on 04.04.2016 when an amount of Rs.4,50,000/- was entrusted to him, he absconded with that amount. The de facto complainant made efforts to recover the amount and ultimately, he was forced to lodge a report with the police on 12.08.2016.

6. The allegations are grave. The investigation has to proceed in accordance with the procedure established

under law. Therefore, it is not a fit case to grant bail to the petitioner under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed.

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**DR.SHAMEEM AKTHER, J**

**DATED: 08-11-2017**

Hsd

