

25.09.2020

Court No. 8
Item No. 5(SL)
abhar/bdatta

CRM 6656 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with Durgachak Police Station Case No. 130 dated 25.08.2019 under Sections 420/406/409/120B of the Indian Penal Code.

and

In the matter of: Uma Manna (Barik)
... Petitioner
Mr. Sobhan Majumder.
.....for the Petitioner
Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.
..... For the State

The learned advocate for the petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 1 of 2020 is accordingly disposed of.

It is submitted by the learned advocate for the petitioner that the principal accused has already been released on bail and the petitioner being the mother of the principal accused is apprehending arrest in connection with the aforesaid case. It is further submitted that the amount of Rs. 5 lakh paid by the complainant was credited in the account of the principal accused and, therefore, the petitioner has no complicity to the alleged offence.

The learned advocate appearing for the State opposes the prayer for bail. He hands over the case diary to corroborate the fact that the petitioner is actively involved in the alleged offence and his complicity cannot be ruled out.

After hearing the respective submissions of the learned counsels and on perusal of the materials from the case diary, there is no hesitation in our mind that a ponzi company is floated and the innocent investors have been duped. Merely because, the

company/firm was owned by the mother of the principal accused but it is fully managed and controlled by the petitioner herself, we do not feel that it is a fit case where the petitioner should get an immunity from being arrested in connection with the instant case. Accordingly, the prayer for anticipatory bail is rejected.

The application for anticipatory bail being C.R.M. 6656 of 2020 is dismissed.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)