

17.11.2020

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**CRM 7986 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali P.S. Case No.559 of 2020 dated 09.09.2020 under Sections 406/409 of the Indian Penal Code.

And

In the matter of: **Dr. Sunil Kumar Jana.**

....Petitioner.

Mr. Saryati Datta

...for the Petitioner.

Mr. Nilay Chakraborty

Mr. Biswaroop Roy

...for the State.

Mr. Abhimanyu Banerjee

...for the de facto complainant.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner states that while he was a teacher-in-charge of the college, an allegation was made against him of misappropriation of certain funds. It was allegedly revealed after the accounts were taken that about Rs.1,22,000/- was misappropriated by the petitioner.

The State says that the complaint was also lodged on the same lines and, accordingly, the State is proceeding against the petitioner.

Considering the material on record and considering the submission made on behalf of the parties, it appears that the custodial interrogation of the petitioner may not be necessary at this stage. The

disputes pertain to accounts and a complaint made under Section 409 of the Penal Code.

In such circumstances, the prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the Arresting Officer.

However, it is made clear that the petitioner shall cooperate in every respect with the investigation process.

In addition, the petitioner shall comply with the terms laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7986 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)