

05-11-2020
Subrata/Subha
Item no.27
Rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.8780 of 2020
Mahadeb Mondal

-vs-

The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC** apprehending arrest in connection with Banshihari P.S. Case No.78 of 2018 dated May 30, 2018 under sections 420/467/468/471/120B IPC

Ms. Jeenia Rudra

...for the petitioner

Mr. Rana Mukherjee

Ms. Sujata Das

... for the State

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within a week of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

The learned advocate appearing on behalf of the petitioner submits that although the case was initiated under sections 420/467/468/471/120B IPC, but the charge-sheet has been submitted under sections 420/120B IPC and that there are hardly any allegations for detaining the present petitioner in custody. Learned advocate further adds that as the charge-sheet has already been submitted, the petitioner's custodial interrogation is unwarranted.

Mr Mukherjee, learned APP appearing for the State, produces the case diary and submits that the petitioner and his associates allured educated youth and accepted money from them and thereafter handed over fake/fraud appointment letters to them as primary teachers/TET and consequently, the unemployed youth were deceived and duped.

We have considered the nature and gravity of the offence; and having regard to the role of the present petitioner who was part of the alleged conspiracy, we are not inclined to extend the privilege of anticipatory bail to the present petitioner. As such the prayer for anticipatory bail is rejected.

Accordingly, CRM 8780 of 2020 is disposed of.

[Tirthankar Ghosh, J]

[Ashis Kumar Chakraborty, J]

