

07.12.2020.

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(Allowed).

C.R.M. 9813 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Suti P. S. Case No.378 of 2019 dated 29.07.2019 under Sections 409/420 of the Indian Penal Code.

In the matter of : Koushik Das. ... Petitioner.

Mr. Mrityunjoy Chatterjee.

...for the Petitioner.

Mr. Rudradipta Nandy.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that the alleged misappropriated sum has been accounted for.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner was public servant and had misappropriated the funds.

We have considered the materials on record. Allegations involve misappropriation by a public servant which is a serious offence. However, it is an admitted position that the defalcated sum has been subsequently accounted for.

In view of the aforesaid extenuating circumstances, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Koushik Das shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like

amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)