

18.01.2021
Court No.28
Item No. 180
Avijit Mitra

CRM 65 of 2021
(Through Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with R.C.-60(S)/2014-Kol/SCB/SIT under sections 406/420 of the Indian Penal Code;

And

In Re : Shyamal Ray Chowdhury

.....Petitioner

Mr. Ayan Basu,
Mr. Jayanta Samanta,
Ms. Karunamoyee Samanta,
Mr. Prabir Kumar Das,
Mr. Sumit Routh

....For the Petitioner

Mr. Y.J. Dastoor, Ld. A.S.G.
Mr. Phiroze Edulji

....For the C.B.I.

Mr. Basu, the learned advocate appearing for the petitioner submits that the petitioner is aggrieved by the notice under Section 160 of the Code of Criminal Procedure issued by the Investigating Agency. He submits that there was no transaction between the defaulting company and the petitioner who happens to represent an NGO. According to him, there were no transaction which could invite the petitioner be implicated in any nature.

Mr. Dastoor, learned advocate appearing for the CBI opposes the application and submits that pursuant to the statement of the principal accused, the bank accounts were audited from where at least six transactions of huge amount

have been reflected. According to learned A.S.G., the same requires interrogation of the present petitioner.

Having regard to the nature and gravity of the offence and the documents which are on the face of it reflecting the transactions of the Organization with which the petitioner is attached in the capacity as Secretary, we are of the view that the petitioner cannot be granted privilege of anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner being C.R.M. No.65 of 2021 is rejected.

(Tirthankar Ghosh, J.) (Tapabrata Chakraborty, J.)