

14. 11.08.2021
Ct.32
SB

C.R.M. 1403 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.02.2021 in connection with Taherpur Police Station Case No. 25/2011 dated 13.02.2011 under Sections 403/406/409/420/34 of the Indian Penal Code.

And

In the matter of: - Samir Dutta

Mr. Santanu Talukdar
Mr. Kaushik Dey

...for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State

The petitioner says that he was an ex-service holder of Taherpur Notified Area Authority. A false case of defalcation of funds has been brought against him. Another accused person standing on the same footing has been granted bail by the learned Court below. He prays for anticipatory bail.

We have seen the material in the case diary. Warrant of arrest was issued against the petitioner. The petitioner challenged that order by filing a criminal revisional application being CRR 1696 of 2020. By an order dated 22nd January, 2021, the order issuing warrant of arrest was stayed for a period of three weeks subject to the condition that the petitioner would surrender before the learned Court below. Admittedly, the petitioner did not surrender before the Court below and he is still at large. He has been absconding for the last ten years.

The conduct of the petitioner does not inspire any confidence at all. Defalcation of public money is involved.

We are not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for bail being CRM 1403 of 2021 is rejected.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)