

15. 11.08.2021
Ct.32
SB

C.R.M. 1410 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 Asansol South Police Station Case No. 31/2021 dated 16.01.2021 under Sections 420/467/468/47 of the Indian Penal Code.

And

In the matter of: - Arnab Bandyopadhyay

Mr. Robiul Islam

Mr. Raju Mondal

Ms. Paramita Banerjee

...for the petitioner.

Ms. Faria Hossain

Ms. Baisaili Basu

...for the State

The allegation is that the petitioner obtained employment in a school as a Librarian on the basis of a fake university certificate.

The petitioner says that in 2014 he was appointed on the basis of mark-sheet issued by the University as certificate had not yet been issued by the University in question. Subsequently his appointment was confirmed and approved by the competent authority also on the basis of the mark-sheet. The certificate was issued in the year 2020. The State says that the certificate is fake. That is not correct.

He prays for anticipatory bail.

We have considered the facts and circumstances of the case and the material in the case diary. Given the nature and

gravity of the charge, although the charge sheet has yet to be submitted, we are of the view that immediate custodial interrogation of the petitioner may not be necessary and he may be granted anticipatory bail subject to stringent conditions.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall meet the Officer-in-charge of the Police Station within the jurisdiction of which he resides once every fortnight until further orders and shall not leave the district without leave of the Officer-in-Charge.

In the event of the petitioner failing to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without reference to this Court.

The application for anticipatory bail being C.R.M. 1410 of 2021 is, accordingly, allowed.

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.)