

15.09.2021
Item no.35.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2334 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 01.03.2021 in connection with Santipur Police Station Case No.237 of 2017 Dated 4.6.2017 under Sections 420/409/34 of the Indian Penal Code

And

In the matter of : Sucheta Kashtha

.....Petitioner.

Ms. Sananda Bhattacharyafor the Petitioner.

Mr. Swapan Banerjee,
Mr. Sumen Defor the State.

The petitioner, who is a 68 years old lady, says that she has no involvement in the alleged misappropriation of funds. There is a SBI Customer Care Kiosk in the premises of the Vivekananda Institute of Biotechnology at Santipur. The said kiosk was run by two or three persons under whom the petitioner used to work. Such persons, who are also accused in this case, have been granted statutory bail. The petitioner has no role to play in the alleged defalcation of funds. The petitioner is fully ready to cooperate with the investigation.

The State says that the custodial interrogation of the petitioner is necessary to find out the amount of misappropriated funds and the number of persons cheated.

We have seen the material in the case diary. Considering that the petitioner is an elderly lady, although charge sheet is yet to be submitted, we are of the view that her immediate custodial interrogation may not be necessary so long as she is ready, willing and prepared to fully cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, namely Sucheta Kashtha 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 until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.2334 of 2021 is, thus, allowed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

