

**CRM 3154 of 2021**

**In re:** An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Belur GRPS Case No.10 of 2020 dated 15-03-2020 under Sections 379/411/414 of the Indian Penal Code

- A n d -

**In the matter of : Subrata Ghosh & Ors.**

.... Petitioners.

Mr. Mritunjoy Chatterjee

... For the Petitioners.

Mr. Sudip Ghosh,  
Mr. Apurba Kumar Datta

... For the State.

An amount of Rs.65,00,000/- was recovered by Belur GRP from two persons who claimed to be the employees of the present petitioners. They could not explain the source, but said that the petitioners were the owners of the money.

After the criminal case was initiated, the petitioners approached the learned trial Court and said that the money belonged to them. The petitioners say that after they approached the learned trial Court, they have been implicated in this case. They also say that Warrant of Arrest was issued against them and subsequently, notice under Section 41A of the Code of Criminal Procedure was issued to them.

The State has shown us the material in the Case Diary, including the alleged Income Tax Returns of the petitioners. The sum of Rs.65,00,000/- prima facie appears to be disproportionate to the alleged Income Tax Returns of the petitioners. The State says that the entire money recovered has been deposited in the Treasury. In our view, a thorough investigation is necessary in this matter. The allegation is of theft and/or possessing stolen property.

On an overall assessment of the facts and circumstances of the case and the nature of allegations against the petitioners and keeping in mind the fact that investigation is yet to be completed, we are not inclined to entertain the petitioners' prayer for anticipatory bail.

The application for anticipatory bail being CRM 3154 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

( **Bivas Pattanayak, J. )**

( **Arijit Banerjee, J. )**