

02.09.2021.
25.
As/Ct.29.
(Allowed)

**C.R.M. 3439 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Santiniketan P.S. Case No.33 of 2021 dated 09.03.2021 under Sections 406/409/467/323/354/120B of the Indian Penal Code.

In the matter of : Aparna Das & Anr. ... Petitioners.

Mr. Somnath Banerjee,
Mr. Pronojit Roy.

.....for the Petitioners.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh.

.....for the State.

Petitioners seek anticipatory bail in connection with Santiniketan P.S. Case No.33 of 2021 dated 09.03.2021 under Sections 406/409/467/323/354/120B of the Indian Penal Code.

Learned Advocate appearing for the petitioners submits that they were falsely implicated in the instant case. He further submits that the petitioners were post holders of 2014-2015. The allegation of defalcation was made in 2021.

State is represented.

Learned Advocate appearing for the State submits that the amount involved is Rs.5,29,584/-. The allegation of defalcation as against the petitioners is that they used fabricated documents to withdraw such amount from the co-operative society.

Considering the materials in the Case Diary and considering that the allegation against the petitioners revolve around the alleged commission and omission of the year 2014-2015 and that the allegations are primarily based on

documents, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, allowed.

The application for anticipatory bail, being CRM 3439 of 2021, is thus disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)