

04.10.2021

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Ct. No. 29

sdas

Allowed

C.R.M. 3542 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Berhampur Police Station Case No. 193 of 2021 dated 25.02.2021 under Sections 420/406/409 of the Indian Penal Code.

And

In Re : Sri Himadri Chowdhury petitioner

Mr. Mani Sankar Chattopadhyay
.....for the petitioner

Mr. Prasun Kumar Dutta, learned A.P.P.
Mr. Subrato Roy
....for the State

Mr. Kallol Mondal
Mr. Sabir Ahmed
Mr. Somnath Adhikary
.... for the de facto complainant

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated in the instant case. The petitioner was authorized by the administrator to undertake development work for the school. The allegations of falsification of the account and defalcation of funds are without any basis.

State and de facto complainant are represented.

Learned advocate appearing for the State submits that the first information report was lodged in the month of February, 2021. The police submitted charge-sheet.

Learned advocate appearing for the de facto complainant draws the attention of the Court to the fact that the petitioner is the headmaster of the school and he issued various cheques.

Considering materials in the case diary and considering the fact that the police submitted charge-sheet, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 on further conditions that the petitioners shall appear before the jurisdictional court on every date fixed for trial and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)

