

CRM 3934 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhatpara Police Station Case No.73 of 2020 dated 09-02-2020 under Sections 406/409/420/467/468/471/120B of the Indian Penal Code

- A n d -

In the matter of : Manoj Kumar Singh

.... Petitioner.

Mr. Ayan Bhattacharyya,
Mr. Rahul Sharma

... For the Petitioner.

Mr. Saswata Gopal Mukherji, learned Public Prosecutor,
Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta

... For the State.

Mr. Dibyendu Chatterjee,
Mr. Pritam Majumdar,
Mr. Tirthankar Das

... For the defacto complainant.

The State says that this case involves a huge economic scam. Public money to the tune of rupees nineteen crores approximately has been mis-appropriated by various beneficiaries of irregular loans granted in their favour by Bhatpara-Naihati Cooperative Bank Limited in conspiracy with employees of the Bhatpara Municipality.

So far as the present petitioner is concerned, it is submitted that a manufactured agreement was brought into existence purportedly on March 26, 2018, whereunder a sum of Rs.54,00,000/- was shown to have been transferred to the present petitioner by the bank against a purported work order. The work order was forged. The agreement is not genuine as would appear from the fact that the stamp paper on which the agreement is printed, was purchased on March

27, 2018 whereas the agreement purports to be of March 26, 2018.

The petitioner says that he has returned the entire loan amount disbursed in his favour by the bank. There may have been criminal conspiracy to defalcate public money. But the petitioner is not a party to such conspiracy. Charge Sheet has been submitted. His custodial interrogation is not necessary.

We have considered the facts and circumstances of the case and the material in the Case Diary. This type of economic offences have debilitating effect on the economy and on the society as a whole. Public funds are meant for public benefit. No individual alone can reap benefit out of such public funds. A huge amount of public money is involved in this case. *Prima facie*, the agreement dated March 26, 2018, in which the present petitioner is described as the first party, is a manufactured document.

On an overall assessment of the facts and circumstances of the case and the nature and gravity of the charge, although Charge Sheet may have been submitted, we are not inclined to entertain the petitioner's prayer for anticipatory bail.

The application for anticipatory bail being CRM 3934 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.)**