

3.
13-08-2021
(ct. no.32)
debajyoti

CRM 4522 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Balagarh Police Station Case No.142 of 2021 dated 01-06-2021 under Sections 420/408/467/468/469/471 of the Indian Penal Code.

- A n d -

In the matter of : Sk. Samsuj Jaman @ Sk Samsuj Zaman
.... Petitioner.

Mr. Bikash Ranjan Bhattacharya,
Mr. Avik Ghatak,
Mr. Rabi Sankar Chattapadhyay,
Mr. Sayan Chattapadhyay,
Ms. Payel Shome,
Ms. Smriti Das

... For the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta,
Mr. Bitasok Banerjee

... For the State.

The petitioner undertakes to affirm and stamp the petition as per Rules within a week from date of passing of this order. Subject to such undertaking, the application is taken up for hearing.

The allegation against the petitioner is of forgery of documents and cheating.

The petitioner submits that notice under Section 41A of the Code of Criminal Procedure has been responded to by the petitioner. This is disputed by the State.

We have seen the material in the Case Diary including the statements of various witnesses recorded under Section 161 of the Code of Criminal Procedure. Many of them have clearly stated that the petitioner has forged the

signature of the authorized persons and thereby sanctioned loans in the names of persons who are not members of the concerned cooperative society and who are not entitled to such loans. The statements also say that the money has been appropriated by the petitioner.

Considering the nature of the offence alleged and that huge amount of public money is involved and the fact that the investigation is in progress and charge-sheet is yet to be filed, we are not inclined to allow the prayer of the petitioner for anticipatory bail.

Accordingly, the application for anticipatory bail being CRM 4522 of 2021 is **dismissed**.

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

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)