

30.09.2021
69
Ct. No. 29
sdas
rejected

**C.R.M. 6556 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Survey Park Police Station Case No. 43 of 2021 dated 02.03.2021 under Sections 420/406 of the Indian Penal Code.

And

In Re : Reyat Hossain Sarkar @ Riyat Hossain Sardar petitioner

Mr. Sumanta Chakraborty
Mr. Probal Sarkar

.... for the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... for the State

Ms. Sulogna Chowdhury
Mr. Indrajeet Chakraborty
Mr. Shaha Alam Molla

.... 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.

State and de facto complainant are represented.

Learned advocate appearing for the de facto complainant submits that the petitioner is yet to respond to the notice under Section 41A of the Code of Criminal Procedure. She submits that the petitioner took at least a sum of Rs.30,00,000/- from the de facto complainant and issued a receipt with regard thereto. De facto complainant relies upon the receipt issued by the petitioner receiving a sum of Rs.30,00,000/-.

Considering the materials in the case diary and considering the nature of the allegations against the petitioner and considering the fact that the petitioner is yet to respond to the notice under Section 41A of the Code of Criminal Procedure, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM 6556 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)