

CRM No.6675 of 2021

Via video conference

14.12.21

(S.R.)

Sl.244

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raiganj** Police Station Case No.893 of 2020 dated 06/11/2020 under Sections 417/420/409/406/34 of the Indian Penal Code (G.R. Case No.2039 of 2020);

And

In re: Bhabesh Chandra Sarkar

... petitioner.

Mr. Subir Banerjee

Mr. Sandip Bandyopadhyay

Mrs. Rukmini Basu Ray

... for the petitioner.

Mr. Prasun Kr. Datta, Ld. APP

Mr. Nirupam Dhali

...for the State.

Mr. Banerjee, learned advocate appearing for the petitioner submits that the petitioner was an employee of Mukundapur S.K.U.S. Ltd. (Mini Bank). He retired in the year 2017. A complaint had been lodged about three years thereafter pertaining to misappropriation of funds. No overt act has been attributed to the petitioner and considering the fact that he is an aged person, he may be enlarged on bail on any stringent condition.

Mr. Dhali, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses, the seizure list and a memo dated 16th December, 2020 issued by the Assistant Registrar of the Cooperative Society, Uttar Dinajpur.

Having heard the learned advocates and considering the materials in the case diary, the seriousness of the allegations, the extent of complicity of the petitioner in the alleged offence and as the investigation is still in progress, we are not inclined to exercise any discretion in his favour.

The application for anticipatory bail being CRM No.6675 of 2021

is, accordingly, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)