

09.02.2021
Court No.28
Item No. 154
Krishnendu
ALLOWED

C.R.M. 9374 of 2020

(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: Alok Guha @ Alope Guha @ Alok Kumar Guha
@ Alope Kumar Guha

.....Petitioner

Syed Chandan Hossain
Mr. Arnab Roy

....For the Petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumar Dutta

.....For the State

Apprehending arrest in connection with Banshihari Police Station Case No. 32 of 2020 dated 25.02.2020 under sections 409/420/120B of the Indian Penal Code, 1860 read with sections 13(1)(a) and 13(2) of the Prevention of Corruption Act, 1988, the petitioner has filed the present application.

Mr. Ghosh, learned advocate appearing for the State submits that the outstanding dues have been repaid by the petitioner. Let the report filed to that effect be kept on record.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in this case. However, the alleged amount has already been repaid by the petitioner and in view thereof, custodial detention of the petitioner is not necessary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary and the fact that the outstanding amount has been

repaid, we are of the opinion that custodial detention of the petitioner is not warranted. As such the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Alok Guha @ Alope Guha @ Alok Kumar Guha @ Alope Kumar Guha**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No. 9374 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)