

09.03.2021
Court No.28
Item No. 130
Krishnendu
Rejected

**CRM 10830 of 2020
(Via video Conference)**

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

And

In Re : **Moumita Mandal @ Moumita Mandal (Guria)**
Petitioner

Ms. Minati Gomes,
Mr. Kausik Biswas,

For the Petitioner

Mr. Saibal Bapuli,
Mr. Soumik Ganguli,

For the State

Apprehending arrest in connection with Shyampur P.S. Case No.13 of 2019 dated 03.01.2019 under sections 409/420/120B of the Indian Penal Code, 1860, the petitioner has filed the present application.

Ms. Gomes, learned advocate for the petitioner submits that the petitioner was working as a Data Entry Operator, Nakole Gram Panchayat, Howrah on "*no work no pay*" basis under M.G.N.R.E.G Scheme. Additionally, Ms. Gomes submits that the petitioner used to be paid only about Rs.7000/- and according to her show-cause, which has been enclosed along with the application, would reflect that her account was used by other office bearers for siphoning off funds. She submits that the petitioner happens to be a lady and she has a child and on any stringent condition, the petitioner may be granted the relief, as prayed for.

Mr. Ganguli, learned Advocate for the State opposes the prayer for anticipatory bail and submits that about 26 lakhs of rupees have been siphoned off by creating fake designation of skilled and semi-skilled worker wherein the name of the present petitioner and her husband were inserted and the same was carried out from the year 2015-16 till 2018. The fund, which was required to be protected, was also misutilized and having regard to the nature of offence committed, the custodial detention of the petitioner is required.

We have perused the materials in the case diary and on a bare perusal of the same, we find that public money has been siphoned off and the petitioner allegedly was an integral part of group of persons who have caused government funds to be misutilized and misappropriated.

Having regard to the nature of offence, we are not inclined to allow the petitioner's prayer for anticipatory bail. As such, the application for anticipatory bail, being CRM 10830 of 2020, is rejected.

(Tirthankar Ghosh, J.)
Chakraborty, J.)

(Tapabrata

