

21.02.2022

Sl. 09
Court No.29
suvayan

CRM (A) 801 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Criminal Complaint No.23 of 2021 Under Sections 621(1), 58A, 58A(6), 58AAA, 125 read with 142, 209, 211 read with 211(7), 217 read with 211(5), 628 of the Companies Act and Section 439(2) read with 436(1) (a) (d) and (2) read with 212 (6), 212(15), 73(1) read with 76A read with 447, 74(1), 74(3), 76A, 77 read with 86, 85 read with 86, 128 read with 128(6), 129 read with 129(7), 134 read with 134(8), 448 of the Companies Act read with Section 193 of the Code of Criminal Procedure.

And

In the matter of: P. Rama Krishna Rao & Ors.

....petitioners.

Mr. Milon Mukherjee
Mr. Sandip Chakraborty
Mr. Sabyasachi Banerjee
Mr. Arun Kumar Upadhyay
Mr. Rahul Kinkar Pandey

...for the petitioners.

Mr. Billawaldal Bhattacharya
Ms. Debjani Ghosal

...for the S.F.I.O.

Learned Advocate appearing for the Serious Fraud Investigation Office submits on instructions that the petitioners are guilty of an offence under Section 628 of the Companies Act, 1956 and since such offence is bailable, the present application is not maintainable. Moreover, the jurisdictional Court issued a non-bailable warrant of arrest against the petitioners.

Petitioners are represented.

Considering the stand of the Serious Fraud Investigation Office in the present case and considering the submission made on its behalf that the petitioners are sought to be proceeded against only under Section 628 of the Companies Act, 1956 which is bailable, and considering the fact that the jurisdictional Court issued non-bailable warrant of arrest against the petitioners, we deem it appropriate that the petitioners

approaches the jurisdictional Court for relief.

The application for anticipatory bail being CRM (A) 801 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)