

16.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1255 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goaltore** Police Station Case No. **223** of **2019** dated **14.12.2019** under Sections 409/34 of the Indian Penal Code.
And

In Re : Sk. Moksed

..... petitioner

Mr. Sankar Paul

Mr. Imtiaz Ahmed

Mr. S. M. Alam

....for the petitioner

Mr. Madhusudan Sur

Mr. Dipankar Pramanick

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State submits that, the petitioner in collusion with another accused withdrew amounts from the provident fund.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the police filed charge-sheet and considering the fact that prima facie it appears that the petitioner overdrew amount from his own

provident fund account, we deem it appropriate to enlarge the petitioner on anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)