

16.03.2022
Sl. 32
Court No.29
sourav
(Rejected)

C.R.M. (A) 1271 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **11.03.2022** in connection with **Chinsurah** P. S. Case No. **123** of **2021** dated **13.03.2021** under Sections **418/406/420** of the Indian Penal Code.

And

In the matter of: **Sri Prabhat Kumar Sarkar @ Provat Sarkar**
....petitioner.

Mr. Prasenjit Debnath
Ms. Punam Basu

...for the petitioner.

Mr. Imtiaz Ahmed
Mr. Ganga Prasad Mukherjee
Mr. Amartya Pal

...for the defacto complainant

Mr. Swapan Banerjee
Mr. Suman De

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner and the deceased husband of the defacto complainant were colleagues. Upon the death of her husband, the defacto complainant was granted compassionate appointment as a Group 'D' staff. The allegation against the petitioner is that he misappropriated a sum in excess of Rupees 1 crore 70 lakhs. He submits that a Group 'D' staff will not be earning that quantum of money.

State and the defacto complainant are represented.

Learned advocate appearing for the State submits that money belonging to the defacto complainant was transferred to the bank account of the petitioner.

Learned advocate appearing for the defacto complainant submits that the petitioner forged all the signatures of the defacto complainant in the banking documents for obtaining loans from the

bank and made the defacto complainant liable for the same.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the allegation of forgery in relation to banking transactions, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1271 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

