

29.04.2022
Serial no.6
Aloke
Ct. No. 29

CRM (A) 1927 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No. 56 of 2022 dated 19.01.2022 under Sections 406/420/409/120(B) of the Indian Penal Code

-And-

In the matter of: **Sahidul Ismal Khan & Anr.**

... ...Petitioners

Mr. Bikash Ranjan Bhattacharyya, Sr. Advocate

Mr. Prabir Mazumder, Advocate

Mr. S. Mazumder, Advocate

Ms. Sunny Nandy, Advocate

Mr. Md. Baharuzzaman, Advocate

... ... For the Petitioners

Mr. Rudradipta Nandy, Advocate

... ... For the State

Petitioners pray for anticipatory bail.

Learned Senior Advocate appearing for the petitioners submits that a police complaint was lodged pursuant to an enquiry report conducted in respect of the affairs of the Cooperative Bank. He refers to the enquiry report dated December 6, 2021. He submits that the Manager, Cashier and Accountant of the Cooperative Bank are involved. The petitioners before this Court are members of the Board of Directors of the Cooperative Society. They were falsely implicated.

Learned Advocate appearing for the State submits that the first petitioner is the Secretary of the Bank and the 2nd petitioner is the Chairman of the Bank. The two petitioners opened two bank accounts in the name of two legal entities, and siphoned of funds in excess of Rs.33.5 lacs in such Bank Accounts. An enquiry into of the affairs of the Cooperative Society was started pursuant to an order passed by the writ Court. Thereafter these two petitioners caused funds to be transferred to another person who in turn

deposited about Rs.21 lacs with the Cooperative Bank. He submits that there are materials in the case diary implicating both the petitioners.

Considering the stand of the State as noted above and considering the materials in the case diary and considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

CRM (A) 1927 of 2022 is rejected

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)