

09.06.2022

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rejected

C.R.M.(A) 2424 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bidhannagar (East) Police Station Case No. 158 of 2021 dated 15.12.2021 under Sections 468/471/34 of the Indian Penal Code.

And

In Re : Buddhadev Bera petitioner

Mr. A. Dutta,
Mr. Uttam Banerjee

... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... for the State

Learned Counsel appearing for the petitioner submits he has not been named in the F.I.R. and a notice to appear as a witness has been merely issued against him in the course of investigation. He apprehends that he may be arrested and has approached this Court for anticipatory bail.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail and submits F.I.R. was lodged by the Secretary of West Bengal Board of Primary Education alleging some candidates had furnished fake educational certificates/marksheets. Statements of the accused persons show that the said certificates had been procured from the petitioner.

We have considered the materials on record. Allegations in the F.I.R. disclose a serious fraud in the matter of procuring

and owning forged marksheets and certificates purportedly issued by the Board. Statements of co-accused persons implicate the petitioner in the crime.

In view of the gravity of the offence, we are of the opinion custodial interrogation of the petitioner is necessary for progress of investigation and unravelling the ramifications of the crime. Hence, this is not a fit case to grant anticipatory bail to him.

Accordingly, prayer for anticipatory bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)