

17.06.2022

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Allowed

C.R.M. (A) 2806 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with M.P.Ghora Police Station Case No. 40 of 2022 dated 26.02.2022 under Sections 406/420/465/120B of the Indian Penal Code.

And

In Re : Himadrija Sharma & Anr.

..... petitioners

Ms. Ranu Mondal

.....for the petitioners

Mr. Soumik Ganguli

....for the State

Learned Counsel appearing for the petitioners submits that his clients are relations of the principal accused who is in custody.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail and submits tht principal accused had misappropriated a large sum of money which was credited in the account of the petitioners.

We have considered the materials on record. Petitioners are relations of the principal accused. Whether the amounts were credited to their accounts by the principal accused with their consent and connivance requires to be assessed in the course of trial. However, as the principal accused is in custody and the accounts have since been frozen, custodial

interrogation of the petitioners for progress of investigation is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**