

02.08.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 3663 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotulpur** Police Station Case No. **90** of **2022** dated **20.05.2022** under Sections 406/420 of the Indian Penal Code.

And

In Re : Rajib Chakraborty

..... petitioner

Mr. Soumik Ganguly

....for the petitioner

Ms. Anusuya Sinha

Ms. Jonaki Saha

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. He refers to the complaint lodged by the de-facto complainant under Section 156(3) of the Code of Criminal Procedure. He submits that, there the de-facto complainant claims to be of such economic condition so as not be able to provide a sum of Rs. 6 lakhs to the de-facto complainant. He disputes the signature of the petitioner as appearing in the so-called agreement between the de-facto complainant and the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including an agreement on fifty rupees stamp paper between the de-facto complainant and the petitioner.

The case diary contains materials implicating the petitioner. One of such incriminating material is the agreement between the de-facto complainant and the petitioner under which, there is an agreement with regard to a home loan that the de-facto complainant was to receive and a sum of Rs. 6 lakhs, which the petitioner received in view thereof.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 3663 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)