

18.08.2022
Serial no.52
Aloke

CRM (A) 3966 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Phoolbagan Police Station Case No. 184 of 2018 dated 31.12.2018 under Sections 464/467/471/420/384/389/506(ii) of the Indian Penal Code.

-And-

In the matter of : **Mahendra Kumar Jajodia**

... .. Petitioner

Mr. Suman Ganguly, Advocate
Ms. Koel Mukherjee, Advocate
Mr. Motifur Murshed, Advocate
Mr. Anurag Sardar, Advocate

... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP
Mr. Sudip Ghosh, Advocate

... ..For the State

Mr. Sabyasachi Banerjee, Advocate
Mr. Anirban Datta, Advocate
Ms. Priyanka Mukherjee, Advocate

... .. For the de facto complainant

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is neither a share-holder nor a Director of the company. He points out that a first information report was lodged as against the de facto complainant. The present police complaint is a counter blast to falsely implicate the petitioner.

Learned Advocate appearing for the State draws the attention to the materials in the case diary.

Learned Advocate appearing for the de facto complainant submits that the petitioner joined the company as an independent Director. The petitioner was not aware that the company was engaged in receiving loans from the banks and siphoning out such money without repaying the loans. The de facto complainant was being proceeded against by the police. Thereafter the de facto complainant upon learning as to the misdeeds of the petitioner, filed complaint with the police.

In response to a query of the Court, learned Advocate appearing for the petitioner submits that the family members of the petitioner are share-holders of the company.

There is an apparent connection between the petitioner and the company and the allegations made as against the petitioner. There are materials in the case dairy as against the petitioner suggesting requirement of custodial interrogation.

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

The prayer for anticipatory of the petitioner is rejected.

CRM (A) 3966 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)