

25.02.2022

Court No.32
rpan / 03

C.R.M. 8382 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re.: **Sri Partha Sakha Ghosh**

- Petitioner

Mr. Sourav Chatterjee,

Mr. Avik Ghatak,

Ms. Afreen Begum

... for the Petitioner.

Mr. Rudradipta Nandy

... for the State.

Apprehending arrest in connection with Malda Police Station Case No.416 of 2021 dated 26.08.2021 under Sections 409/420 of the Indian Penal, the petitioner has filed the present application.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that prior to registration of the complaint the petitioner started repayment of the amount alleged to have been misappropriated. He had already repaid the entire amount. Presently he is under suspension and in the said conspectus, he may be granted anticipatory bail on any stringent condition.

Pursuant to the earlier order of this Court, Mr. Nandy, learned advocate appearing for the State has filed the report, as called for. Let the same be kept on record. It appears from the said report that an amount of Rs.1,18,25,905.74/- had been repaid by the petitioner.

The petitioner was the Assistant Manager of the concerned bank at the relevant time. Considering the seriousness of the offence, the amount of public money involved and the complicity of the petitioner in the alleged offence, we are not inclined to exercise

any discretion in favour of the petitioner, more so when, investigation is still continuing.

The application for anticipatory bail, being CRM 8382 of 2021 is, thus, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)