

10.03.2022

Court No.32

SM,J.

BM/Sl. No.148

CRM 8917 of 2021

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

And

In Re: Premanshu Rana

- Petitioner

Mr. Kusal Kumar Mukherjee

Mr. Surajit Basu ... for the Petitioner.

Mr. Sabir Ahmed

Mr. S. Sarkar

Mr. Apan Saha ... for the defacto complainant

Mr. Binay Panda

Mr. Subham Bhakat ... for the State.

Apprehending arrest in connection with Ratua Police Station Case No.268 of 2021 dated 07.07.2021 under Sections 406/420/120B of the Indian Penal Code, the petitioner has filed the present application, praying for anticipatory bail.

Learned lawyer for the petitioner submitted that the present petitioner is falsely implicated in this case. He resigned from the post of Director from the concerned company on 29th September, 2014. The case was initiated in the year 2021 at which material point of time, he was neither associated with the Company nor Office Bearer of the same. Therefore, according to him, there is no justification of detention in custody and accordingly, he prayed for anticipatory bail.

Mr. Panda, learned counsel appearing for the State vehemently opposes the bail application on the ground that the petitioner is a history sheeter who cheated financially a number of persons to the extent of about Rs.80 to Rs.90 lacs. He has direct

complicity in the offence and all the overt act committed by the petitioner is attributable to the phase and period when he was Director of the Company. Since the allegation is of public nature, according to him anticipatory bail should not be allowed.

Per contra Mr. Ahmed, learned lawyer appearing for the defacto complainant also vehemently opposed the bail application that the allegation is grave and serious and the petitioner has cheated a lot of persons monetarily.

We have heard rival submission.

Perused the case diary. It appears that the present petitioner is served with Notice under Section 41A. We have not found anything to indicate any compliance with the said notice. It also appears that the nature of allegation is not only serious but also against public interest.

Considering the seriousness of the allegations, gravity and the conduct of the present petitioner and further that investigation is still pending, we are not inclined to allow anticipatory bail and the same stands rejected.

The instant C.R.M 8917 of 2021 stands disposed of.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)