

27.09.2022
Serial no. 14
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 4576 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bantra** Police Station Case No. **95** of **2022** dated **04.05.2022** under Sections **341/323/506/420/406/465/468/34** of the Indian Penal Code.

-And-

In the matter of : **Anita Agarwal**

... ..**Petitioner**

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta, Advocates
... .. For the Petitioner

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee, Advocates
... ..For the State

Mr. Dipanjan Dutt
Mr. Surojit Saha, Advocates
... ..For the de facto complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that there are a number of proceedings between the private parties. The disputes, according to him, are civil in nature. The petitioner complied with notice under Section 41A of the Criminal Procedure Code.

State and the de facto complainant are represented.

Learned advocate appearing for the State draws the attention of the Court to the materials in the cases diary including a document where, it is stated that the petitioner received the sum of Rs.1 crore 5 lakhs from the purchaser of the flat.

Learned advocate for the de facto complainant submits that several purchasers of flats induced by the petitioner,

amongst others, to buy the flat. The construction of the flats was found to be unauthorized. The flat owners are now without any remedy. The municipality posted a notice of unauthorized construction.

Apparently, unsuspecting members of the public were induced to buy flats in an unauthorized construction. The petitioner is involved in the incident. Need for custodial interrogation of the petitioner, in the facts of the present case, cannot be overlooked.

In such circumstances, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 4576 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)