

10.11.2022
Serial no. 03
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 4787 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **71** of **2022** dated **January 26, 2022** under Sections **420/467/468/120B/201** of the Indian Penal Code.

-And-

In the matter of : **Saddam Hossain Sheikh**
... ..**Petitioner**

Mr. Ayan Bhattacharjee,
Ms. Sananda Bhattacharyya, Advocates
... .. For the Petitioner

Mr. Sanjoy Bardhan,
Ms. Debjani Dasgupta, Advocates
... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner was a computer operator in a co-operative society. He refers to the documents and submits that allegation of defalcation cannot be substantiated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the petitioner accepted defalcation by writing dated April 25, 2021. Independent of that, he refers to the audit report dated December 7, 2020. He submits that the petitioner is guilty of defalcation of a sum in excess of 66 lakhs. The total defalcation amount of the institution is in excess of 3.73 crores.

There are materials in the case diary implicating the petitioner in the incident of defalcation. *Prima facie* case

stands made out as against the petitioner. There is an acknowledgement of liability of the petitioner made in writing.

Consequently, we are not inclined to grant anticipatory bail to the petitioner.

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

CRM (A) 4787 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)