

13.10.2022.
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NB/sws.m
(Partly Allow).

C.R.M. (A) 4915 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Baranagar P. S. Case No.511 of 2022 dated 02.09.2022 under Sections 420/406/468/471 of the Indian Penal Code.

In the matter of : Sayan Jana.

... Petitioner.

Mr. Shibaji Kumar Das.

...for the Petitioner.

Mr. Rudradipta Nandy Id APP,
Mr. Subrato Roy.

.....for the State.

Heard learned lawyers appearing for the parties.

Petitioner submits that he had resigned from the firm of the de facto complainant ten months ago. At the time of resignation, the accounts were reconciled and he was released. Subsequently, false allegation of misappropriation has been levelled against him.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Petitioner had resigned from the de facto complainant's firm ten months ago. No contemporaneous complaint regarding misappropriation was filed.

Under such circumstances, we are of the opinion custodial interrogation of the petitioner may not be necessary but he requires to cooperate with the investigation in accordance with law.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once in a week until further order..

This application for anticipatory bail is, thus, disposed of.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)