

07.11.2022

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Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 5069 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 **4.5.2022** under Sections 341/323/506/420/406/465/468/34 of the Indian Penal Code.

And

In Re : Sourav Agarwal

..... petitioner

Mr. Abhra Mukherjee

Mr. Sauradeep Dutta

....for the petitioner

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

....for the State

Petitioner prays for anticipatory bail.

Prayer for anticipatory bail of the co-accused was rejected by an order dated September 27, 2022 passed in C.R.M. (A) 4576 of 2022.

Learned advocate for the petitioner submits that, the petitioner is undertaking an examination. In support of such contention, he refers to the annexure in the petition.

There are materials in the case diary implicating the petitioner in the sum of excess of Rs.1.40 crores received from purchasers of flats. The construction of the flats was found to be unauthorized. The municipality posted a notice of unauthorized construction.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

However, in the event the police arrest the petitioner, then, the police will ensure that the petitioner is able to take the examination that he intends to appear for as claimed in the petition of anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 5069 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)