

02.12.2022
Serial no.10
Aloke

CRM (A) 5593 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Goalatore Police Station Case No. 317 of 2022 dated 04.11.2022 under Sections 417/420/465/468/471/120B of the Indian Penal Code.

-And-

In the matter of : **Shri Jiten Krishna Ghosh**

... .. Petitioner

Mr. Sourav Chatterjee, Advocate
Mr. Bibaswan Bhattacharya, Advocate
Mr. Madan Mohan Roy, Advocate
... .. For the Petitioner

Mr. Rudradipta Nandy, Id. APP
Mr. Subrata Roy, Advocate
... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is a retired person. The petitioner was falsely implicated in three other proceedings. In all such proceedings, the petitioner was taken into custody. No recovery was made from the possession of the petitioner. In the present police complaint also the petitioner was falsely implicated. No notice under Section 41A of the Code of Criminal Procedure was served upon the petitioner.

Learned Advocate appearing for the State submits that the petitioner retired from National Volunteer Forces.

In the present case, the petitioner was instrumental in securing appointment on compassionate ground for a person who was not entitled to receive such compassionate appointment in respect of an employee of National Volunteer Forces in the died-in-harness category.

There are materials in the case dairy implicating the petitioner in the offence alleged.

The need for custodial interrogation of the petitioner cannot be overlooked

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

Prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 5593 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)