

08.12.2022

Sl.14

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5618 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Keshiary** Police Station Case No. **143** dated **02.05.2022** under Sections **420/468/409** of the Indian Penal Code.

And

In the matter of: **Sugandhi Kumar Mishra**

....petitioner.

Mr. Navanil De

Mr. Rajeshwar Chakraborty

Mr. Srinjan Ghosh

Mr. Subhrajit Dey

Ms. Monami Mukherjee

...for the petitioner.

Mr. S.S. Imam

Mr. S. Kundu

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the State submits on the basis of the written instruction that the petitioner returned the alleged defalcated amount.

Considering the gravity of the offence and the materials in the case diary and considering the fact that the authorities received the return of the alleged defalcated amount, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner will report before the Investigating Officer once a

month till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

Report submitted in Court be taken on record.

C.R.M. (A) 5618 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)