

08.12.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 5700 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Posta** Police Station Case No. **133** of **2020** dated **10.07.2020** under Sections 408/420/120B of the Indian Penal Code, 1860.

And

In Re : Manish Seth

..... petitioner

Mr. Prabir Mitra

Mr. Pinak Mitra

Ms. S. Ghosh

....for the petitioner

Ms. Purnima Ghosh

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner complied with the notice issued under Section 41A of the Code of Criminal Procedure. The petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that, a sum of Rs.85 lakhs was misappropriated by the petitioner from the account of the de-facto complainant. She submits that, initially when the police went to search for the petitioner, they could not find him.

The police case is dated July 10, 2020. There is a period of two years when the petitioner is absconding.

There are materials in the case diary implicating the petitioner. The allegations against the petitioner are serious.

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

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 5700 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)