

07.02.2023

Sl.13

Court No.29

(cm)

(Allowed)

C.R.M. (A) 501 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chatterjeehat** Police Station Case No. **129 of 2022** dated **23.06.2022** under Sections **420/406/408** of the Indian Penal Code.

And

In the matter of: **Soumyadeb Chatterjee.**

....petitioner.

Mr. Habibur Rahaman

Ms. Karabi Roy

...for the petitioner.

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

...for the State.

Mr. Smartajit Sarkar

..... for the De-facto complainant.

Petitioner prays for anticipatory bail.

State and the de-facto complainant are represented.

There are allegations against the petitioner for defalcation.

Petitioner claims that the petitioner received money from the account of the company only to disburse payment out of such money to persons designated by the company. In fact payments were taken to the de-facto complaint also.

There are materials on record and case diary suggesting that there are transactions between the company and the petitioner and that money went out from the bank account of the petitioner.

Police filed charge-sheet.

In such circumstances, 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 501 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)