

23.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1189 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nandigram** Police Station Case No. **644** of **2022** dated **06.07.2022** under Sections **420/406/409** of the Indian Penal Code

And

In the matter of : Sougata Bhuina

..... petitioner

Mr. Debabrata Roy,
Mr. Bibekananda Tripathy
....for the petitioner

Mr. S. S. Imam,
Mr. S. Kundu
....for the State

Departmental proceeding was initiated against the petitioner for the alleged defalcation of fund. Such departmental proceeding was withdrawn apparently on the basis of the petitioner making deposited the defalcated amount. Petitioner is an government employee.

In such circumstances, we do not feel the need for custodial interrogation of the petitioner. 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall report before the Investigating Officer once in a month till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)