

05.06.2023

Sl. 10
Court No.12
Suvayan/
Sourav
(Allowed)

C.R.M. (A) 2027 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** P. S. Case No. **279/2023** dated **07.04.2023** under Sections **420/409** of the Indian Penal Code.

And

In the matter of: **Mukti Halder**

....petitioner

Ms. Minoti Gomes

...for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

...for the State.

1. Heard the learned Counsel for the parties.
2. The report submitted by the learned Counsel for the State regarding deposit be kept on record.
3. This petition for anticipatory bail arises out of Tehatta P.S. case No. 279/2023 dated 07.04.2023 under Sections 420/409 IPC.
4. The petitioner being the Gram Pradhan is alleged to have defalcated amount of about seven lakh rupees. Pursuant to direction of this Court as submitted at the Bar the petitioner has already deposited Rs. 7,73,848/- in the name of the appropriate authority without prejudice to his defence that the petitioner is entitled to take in the trial without, however, admitting his guilt. On the self-same ground interim protection had been provided to the petitioner by this Court on 18.05.2023.
5. It is submitted at Bar that the evidence in this case being documentary in nature, there is no chance on the part of the petitioner to tamper with the evidence and the investigation in

the case is stated to have progressed substantially.

6. Regard being had to the facts and submissions, factum of permanent residence of the petitioner, nature of offence and the circumstances involved, it is directed that the petitioner shall be released on bail, in the event of his arrest, in the aforesaid P.S. case on such terms and conditions as deemed just and proper by the arresting Officer in the facts and circumstances of the case.
7. Within 21 days of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before the I.O. along with a copy of this order.
8. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
9. The application being CRM (A) 2027 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)