

17.05.2023

Sl.33

Court No.29

(AD)

(Allowed)

C.R.M. (A) 2041 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dum Dum** Police Station Case No.**28 of 2023** dated **12.01.2023** under Sections **384/467/468/471/506** of the Indian Penal Code, 1860.

And

In the matter of: **Arpita Biswas**

....petitioner.

Ms. Minoti Gomes
Mr. Sourav Mondal
Mr. Samrat Pal

... for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Soumik Ganguly

...for the State.

Mr. Arindam Jana
Mr. Bikram Banerjee
Mr. Sudipta Dasgupta

... for the de facto complainant.

Petitioner prays for anticipatory bail.

Petitioner, State and the de facto complainant are represented.

Petitioner is a teacher. The allegation as against the petitioner is that the petitioner obtained employment on the strength of a document which is invalid.

The document in issue is a Teacher Training Certificate. It is the claim of the school that the institute from which, the Teacher Training Certificate was obtained was not duly authorized by the appropriate authority.

Such an issue may be considered at the time of the trial.

Custodial interrogation of the petitioner is not felt particularly when the petitioner is a lady and is otherwise carrying requisite qualification to be a teacher.

Petitioner will make over the original certificate to the Investigating Officer forthwith.

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 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 cooperate with the investigation 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.

C.R.M. (A) 2041 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)