

CRM (A) 2304 of 2023

In re: An application for bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta Police Station** Case No. **394 of 2023** dated **18.05.2023** under Sections **420/409/465/467/468/471/120B** of the Indian Penal Code.

- A n d -

In the matter of : Abhijit Biswas

.... Petitioner.

Mr. Arindam Jana,
Mr. S. Das,
Ms. A. Halder,
Mr. P. P. Sinha,

... For the Petitioner.

Mr. Swapan Banerjee,
Mr. S. De,

... For the State.

1. Heard Learned Counsel for the parties.
2. It is a case of defalcation of about 7 lac rupees out of which 5 lac rupees is stated to have been recovered from the principal accused Prasanta Dutta. The present petitioner is stated to be the head clerk working in the office of the Block Development Officer. The present petitioner in connivance with the aforesaid Prasanta Dutta is alleged to have benefited the said Prasanta Dutta by forging the signature of the BDO.
3. The investigation having progressed substantially, all the evidences have already been collected and the nature of offence is mostly documentary. In view of such fact, we do not find any requirement of custodial interrogation of the petitioner.

4. Regard being had to such facts and submissions, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that (i) he shall appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation; (ii) he shall provide his specimen signature etc. before the I.O., if required in course of the investigation.
5. It is made clear this order has been made without prejudice to the power of the department to initiate effective disciplinary proceeding for major penalty against the petitioner.
6. Within 21 days from the date of receipt of server copy/certified copy of this order the petitioner is directed to appear before the I.O. along with a copy of such order.
7. Accordingly, the prayer for anticipatory bail is allowed.
8. The application being CRM (A) 2304 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)