

19.07.2023
(M/L 172)
Ct. No.29
Allowed
(SKB)

CRM (A) 2571 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bhadreswar P.S. Case No.69 of 2022 dated 17.02.2022 under Sections 420/406/409/34 of the Indian Penal Code corresponding to Spl Case No.25 of 2022.

In the matter of : Tarashree Biswas

... Petitioner

Mr. Bitasok Banerjee,
Ms. D. Mukherjee

... for the petitioner

Mr. Tanmoy Kr. Ghosh,
Ms. Sonali Bhar

... for the State

1. Heard the learned Counsel for the parties.
2. In a case of defalcation of Rs.1.41 crores, the Bank Manager, a daily wager employed by the Bank Manager in his personal capacity and other bank employees and the present petitioner have been charge-sheeted. The present petitioner is stated to be the mother of the aforesaid daily wager.
3. Learned counsel for the State on verification of case diary fairly submits that, during investigation, it is found that about Rs.1 lac has been transferred from the account of Bijoy Karmakar (customer of the bank) to the account of the present petitioner. Except the aforesaid allegation,

there is stated to be no other allegation against the petitioner.

4. Charge-sheet having been filed, we do not find any requirement of custodial interrogation and taking into consideration, the nature of allegation and the fact that the petitioner is a lady, we feel that she is entitled to the benefit of anticipatory bail.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Chandannagar, Hooghly in Spl Case No.25 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On her surrender and application for bail, she shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 2571 of 2023 is disposed of.
8. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)