

25.07.2023
(D/L 48)
Ct. No.29
Allowed
(SKB)

CRM (A) 2673 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kandi P.S. Case No.637 of 2022 dated 08.11.2022 under Sections 420/406 of the Indian Penal Code.

In the matter of : Milton Sk.

... Petitioner

Mr. Tapodip Gupta

... for the petitioner

Mr. Abhra Mukherjee,
Mr. Dipankar Mahata

... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner is alleged to have collected instalment of repayment of loan from different customers but he has not deposited the same in the bank. The customers from whom such payments have been collected by the petitioner have already been examined and they have also produced documents showing payments to the petitioner. Those are documents to show that the petitioner has not deposited amount of Rs.7 lacs and odd with the bank, though the same was collected from different customers.
3. In view of the nature of evidence, we do not find any justification for custodial interrogation of the petitioner.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of

evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest 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 conditions that (i) the petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form and (ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The application being CRM(A) 2673 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)