

08.08.2023
SL. 17
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2828 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Minakhan** Police Station Case No. **99 of 2023** dated **30.03.2023** under Sections **420/406** of the IPC.

And

In the matter of: **Samiran Dalui**

....petitioner.

Mr. Tapan Dutta Gupta
Mr. Parvej Anam

...for the petitioner.

Mr. Joydeep Roy
Mr. Amunul Islam

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the witnesses recorded under Section 161 Cr.P.C. The petitioner being a collection agent of Bharat Financial Company is alleged to have collected EMIs of about Rs. 55,000/- from different borrowers but he is further alleged to have not deposited the said amount in the Bank.
3. Service of the petitioner by the aforesaid Bank is stated to have been terminated in the meantime. Therefore, he is not in a position to tamper with the evidence.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, quantum of amount involved 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 I.O.

once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

- ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
- iii) The petitioner shall not leave the jurisdiction of the aforesaid P.S. without obtaining prior leave from the I.O.

- 5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
- 6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
- 5. Accordingly, the prayer for the anticipatory bail is allowed.
- 6. The application being **CRM (A) 2828 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

