

07.08.2023
ML. 91
Court No. 29
Sourav/NKB
(Allowed)

C.R.M. (A) 2858 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **200** of **2023** dated **20.04.2023** under Sections **406/419/420/506/34** IPC (corresponding to G.R. Case No. 2401 of 2023).

And

In the matter of: **Nusrat Jahan @ Nusrat Jabeen**

....petitioner.

Mr. Avik Ghatak
Mr. Saibal Krishna Dasgupta

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Arabinda Manna

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is stated to be the Manager of the branch of PNB. The informant had gone to deposit about Rs. 2 lakh in her S/B Account but it is alleged that the amount she deposited, is found to have been deposited in the insurance policy floated by the PNB.
3. The allegation is that the present petitioner with the co-accused person have done such thing.
4. Investigation is stated to have progressed substantially.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of her 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) The petitioner being a lady is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset.
6. Before parting with the order, we feel persuaded to observe here that if the thing alleged by the informant had been done in good faith by the officials of the bank or by misdemeanor of the officials of the bank, the amount deposited in the insurance may well be reverted back to the S/B Account of the informant in accordance with Rule of the Bank.
7. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2858 of 2023** is disposed of.
10. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

