

10.08.2023
(M/L 186)
Ct. No.29
Allowed
(SKB)

CRM (A) 2971 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tarakeswar P.S. Case No.161 of 2021 dated 06.07.2021 under Sections 420/406/120B of the Indian Penal Code.

In the matter of : Smt. Shampa Malick

... petitioner

Mr. Shovan Bandyopadhyay

... for the petitioner

Mr. Swapan Banerjee,

Mr. Anindya Sundar Chatterjee

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed before us including the statements of the victims of the alleged cheating. The principal accused Binay Kumar Malik is the husband of the present petitioner. Aforesaid Binay Kumar Malik posed himself to be the Chairman of one Road Safety Organisation. He is alleged to have floated a scheme of training programme on road safety for a fees of Rs.25,000/- each. In this process he is alleged to have duped many persons. From the statements of the victims, it further transpires that the victims have come to know or understand that the present petitioner is an active participant in the entire process with her husband. Except such allegation, there is nothing on record against the present petitioner.

3. Regard being had to such facts and submissions, 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 by the Arresting Officer in the event of her 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 condition:
 - i) The petitioner being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset till submission of Final Form.
4. Accordingly, the prayer for the anticipatory bail is allowed.
5. 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.
6. The application being CRM(A) 2971 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)