

24.08.2023
ML. 420
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3236 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Lake Town** P.S. Case No. **78 of 2020** dated **02.06.2020** under Sections **406/408/409/420/468/471/120B** of the IPC corresponding to G.R. Case No. **351 of 2020** pending before the learned ACJM, Bidhannagar, North 24 Parganas.

And

In the matter of: **Samir Barman**

....petitioner.

Mr. Arkadyuti Pahari

Mr. Gaurab Bhar

Mr. Kaustav Das

...for the petitioner.

Md. Kutubuddin

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner and another Dineswar Prasad Patwa was the gold appraisal engaged by the concerned bank. On the basis of appraiser of gold made by the petitioner and the co-accused loans were sanctioned to different persons. Subsequently, it was found that out of the gold stock, 70 packets of the gold were found to be spurious and all those 70 packets were appraised by the present petitioner and the co-accused. The co-accused is stated to have surrendered before the competent Court and he is stated to have been released on regular bail.
3. Charge-sheet is stated to have been filed in the meantime.
4. Therefore, there is no necessity of any further custodial interrogation. The evidence implicating the present petitioner is all documentary in nature and the same are in the custody of the bank.
5. Regard being had to 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 Additional Chief Judicial Magistrate, Bidhannagar, North 24 Parganas within 15 days from today in the G.R. case No. 351 of 2020 arising out of aforesaid P.S. case including the condition that:

- i) The petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.
6. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
7. The learned ACJM is directed to act upon the server copy of this order, if required.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 3236 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

