

22.09.2023
SL. 12
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3513 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Moyna** Police Station Case No. **204 of 2023** dated **03.07.2023** under Sections **409/420** of the IPC.

And

In the matter of: **Aparesh Mondal**

....petitioner.

Mr. Sabir Ahmed
Mr. Bhaskar Hutait
Ms. Suman Biswas

...for the petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

...for the State.

1. Heard learned Counsel for both the parties.
2. It is fairly submitted by learned Counsel for the State that the alleged defalcated amount in the shape of a bank draft has already been handed over to the I.O. in the meantime.
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 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.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. It is made clear that this order shall have no bearing in the Departmental Proceeding initiated against the petitioner.

8. The application being **CRM (A) 3513 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

