

31.08.2023

SL. 11

Court No. 29

Sourav

(Rejected)

C.R.M. (A) 3532 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ranibandh** Police Station Case No. **42** of **2023** dated **05.03.2023** under Sections **409/420** IPC.

And

In the matter of: **Dayal Pal**

....petitioner.

Mr. Neil Basu
Mr. Rajdeep Sinha
Mr. Sankha Biswas

...for the petitioner.

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

... for the State.

1. Heard learned Counsel for the parties.
2. From the materials as placed before us, it reveals that the present petitioner's M.R. Dealership has been cancelled and he has been directed to transfer his stock to the tagged dealer. From the materials as collected in course of investigation, it reveals that the present petitioner being a terminated dealer, did not transfer such stock to the tagged dealer and on the contrary, he had sold huge quantity of consumable articles in open market violating the direction of the Inspector of Food and Supplies, Govt. of West Bengal.
3. It appears to us that a *prima facie* case under Section 409 IPC has been made out as against the present accused petitioner.
4. Considering the seriousness of the crime, we are not, thus, inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.

5. Accordingly, the prayer for anticipatory bail is rejected.
6. The application being **CRM (A) 3532 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

