

21.09.2023
M/L 233
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3841 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Khatra GR Case No.736 of 2022 arising out of Simlapal P. S. Case No.126 of 2022 dated 08.12.2022 under Sections 417/406/409/468/506/34 of the Indian Penal Code.

In the matter of : Anirban Chakraborty

... Petitioner

Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Ms. Ankita Mukherjee

... for the petitioner

Mr. Partha Pratim Das,
Ms. Eshita Dutta

... for the State

1. Heard learned counsel for the parties.
2. The present petitioner, who is stated to be a Loan Recovery Officer of Bangiya Gramin Vikash Bank, is alleged to have duped several loanees. The *modus operandi* of the petitioner as alleged is that when the rustic loanees came and paid money to him for depositing in the Bank, he was keeping such money for himself without depositing the same in the Bank.
3. In the present case, about Rs.4 lakhs of loan is involved and some receipts are there which are alleged to have issued by the petitioner.

4. Be that as it may, all the transactions are being documentary in nature, we do not find any justification for custodial interrogation of the petitioner.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence 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 G.R. Case No.736 of 2022 arising out of 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 conditions:
 - i) The petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the IO during investigation.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. 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.
8. The applications being CRM(A) 3841 of 2023 is disposed of.

9. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)