

25.09.2023
M/L 302
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3910 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Islampur P. S. Case No.120 of 2021 dated 18.05.2021 under Sections 420/406/409/468/471/120B/34 of the Indian Penal Code corresponding to G.R. No.1446 of 2021.

In the matter of : Moklesar Rahaman @ Babu
@ Muklesur Rahaman Mia
... Petitioner

Mr. Ashok Das,
Mr. Nabiul Islam,
Mr. Sourav Mukherjee
... for the petitioner

Mr. Soumik Ganguli
... for the State

1. Learned counsel for the petitioner is directed to make necessary correction in the cause title of the petition, as prayed for.
2. Heard learned counsel for the parties.
3. The petitioner is stated to be an agent functioning as Consumers Service Point (CSP) of State Bank of India. Similar matter has already been disposed of by this court vide order dated 25.09.2023 in CRM (A) 3278 of 2023.
4. Taking into consideration the fact that the duties and responsibility of the CSP, so far as verification of genuineness etc. of documents of loan are concerned, no document in that regard has been provided in CRM(A)

3278 of 2023. Accordingly, we do not find any justification for custodial interrogation of the petitioner.

5. Charge-sheet is stated to have been filed.
6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Lalbag, Murshidabad in G.R. No.1446 of 2021 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being CRM(A) 3910 of 2023 is disposed of.
9. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)