

15.09.2023
as/tkm/ct 28
spl no. 4

C.R.M. (A) 3930 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Balarampur P.S case no. 77 of 2023 dated 3.8.2023 under sections 409/420/468/34 IPC
And

Allowed

In Re : Nirmalya Pandey petitioner

Mr. S Das Mahapatra
Ms. M Sinha

..... for the petitioner

Mr. S Bapuli
Mr. D Paramanick

..... for the State

1. Petitioner is a postal assistant. He submits one Balaram Mukherjee, Gram Dak Sevak had deposited the misappropriated money. He prays for anticipatory bail.
2. Learned lawyer for the State produces the case diary. He submits petitioner had misappropriated the said sum after registration of FIR. Amount has been deposited.
3. We have considered the materials on record. Extent of complicity of the petitioner may be assessed during trial. Alleged misappropriated sum has also been refunded. Custodial interrogation for recovery of money is not necessary.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 3930 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)