

25.09.2023
D/L 35
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3935 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Asansol (South) P. S. Case No.97 of 2023 dated 18.03.2023 under Sections 465/471/468/472 of the Indian Penal Code corresponding to G.R. No.786 of 2023.

In the matter of : Pradip Banerjee

... Petitioner

Mr. Kuntal Banerjee

... for the petitioner

Mr. Rudradipta Nandy, Id. APP

Mr. Antarikhya Basu

... for the State

1. Heard learned counsel for the parties.
2. The instant case was initiated on the basis of a complaint by the informant that the present petitioner being a law clerk assured the informant NGO that he would get the accounts of the said NGO audited by a reputed chartered accountant. However, it has been divulged subsequently that such report is a forged one and there is statement of the auditor as recorded under Section 161 Cr.P.C. that he has not prepared such audit report and the informant NGO is not his client.
3. On perusal of the entire materials of the case diary, it appears to us that investigation is proceeded substantially and the present case is based on documentary evidence.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progression 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. No.786 of 2023 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 condition:

i) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the IO during investigation.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. 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.

7. The applications being CRM(A) 3935 of 2023 is disposed of.

8. 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.)