

25.09.2023

SL. 47

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3947 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **694** of **2022** dated **13.07.2022** under Sections **409/417/420/34** IPC (corresponding to G.R. Case No. 2927 of 2022).

And

In the matter of: **Debabrata Biswas**

....petitioner.

Mr. Susnigdho Bhattacharyya

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP

Mr. Manoranjan Mahata

... for the State.

1. Heard learned Counsel for the parties.
2. The present petitioner is an employee of the Bharat Financial Inclusion Limited, a subsidiary of Indasind Bank Limited. It has been alleged that the present petitioner while working as an employee of the said bank, used to disburse loan in favour of the self-help groups and taking advantage of his position, he has credited the loan amount in his own account by debiting the same from the account of the self-help groups. In the Case Diary, there are sufficient materials to substantiate *prima facie* that total defalcated amount is 8,35,884/- by the present petitioner and another co-accused.
3. However, considering the fact that the entire case is based upon documentary evidence which is lying with the informant bank, we are inclined to take a lenient approach in favour of the present petitioner subject to certain condition especially when charge-sheet has been filed in the meantime.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence, nature of evidence and completion of investigation, it is directed that petitioner shall surrender before the learned Chief Judicial Magistrate, Ranaghat, Nadia in G.R. Case No. 2927 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.
5. Accordingly, the prayer for anticipatory bail is allowed.
6. The application being **CRM (A) 3947 of 2023** is disposed of.
7. Learned Chief Judicial Magistrate, Ranaghat, Nadia is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

