

12.10.2023
ML. 33
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 4122 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **553** of **2023** dated **18.08.2023** under Sections **406/420** IPC.

And

In the matter of: **Dibyendu Khan**

....petitioner.

Mr. Suman Das Adhikary

...for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

...for the State.

1. Heard learned Counsel for the parties.
2. In the instant case, it has been alleged that on a false plea of giving a government job the present petitioner along with another co-accused person allured the informant to pay money to them for which the informant had given Rs. 3 lakhs by way of cheque.
3. From the materials as collected by the I.O. and as available in the CD, it reveals that a cheque of Rs. 2 lakhs has been issued in the name of the present petitioner and that amount has been credited in the account of the present petitioner.
4. Considering the seriousness of the crime, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner.
5. Accordingly, the prayer for anticipatory bail is rejected.
6. The application being **CRM (A) 4122 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

