

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

09.03.2023.
20/tkm

C.R.M. (A) 161 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali P.S case no. 262 of 2022 dated 30.4.2022 under sections 409/419/420/468/471/201/120B IPC
and

Allowed In Re : Sharbani Ghosh ... petitioner

Mr. J K Bhowmik
Mr. S Bhowmik
Ms. Rikta Sarkar

..... for the petitioner

Mr. Nilay Chakraborty
Mr. Chattu Roy

..... for the State

Petitioner is the wife of the principal accused. Principal accused has been taken into custody.

Learned lawyer for the State submits petitioner is the beneficiary of the crime. Misappropriated sums were deposited in her account.

We have considered the materials on record. Petitioner is the wife of the principal accused. It is alleged he misappropriated funds of the municipality and deposited the same in the name of his wife i.e. the petitioner. There is nothing to show that the petitioner had played an active role in the affairs of the municipality.

Keeping in mind the extent of complicity of the petitioner in the crime and as the principal accused is in custody we are of the opinion custodial interrogation of the petitioner for progress of

investigation is not necessary and she may be granted anticipatory bail.

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 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

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

The application being CRM (A) 161 of 2023 is disposed of.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)