

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

25.08.2023
Court No.1
Item.40
(sg/ks)

CRM(A) 657 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973.

And

In the matter of: Ramesh Kumar Agarwal

.Petitioner.

Mr. Jayant Kumar Singh
Mr. P. Gurung

For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Kallol Nag

For the State.

Mr. Sourav Ganguly
Ms. Madhushri Dutta

For the de facto complainant

1. The facts placed before us show that the petitioner was one of four persons who had formed a company and invested substantial amounts of money for purchase of 135 bighas of land for about Rs.2 crores. Documents have been placed to show that the petitioner however projected himself to be the Director of the company which was to sell the land to the first company and that the petitioner subsequently sold the land to a third party.
2. Although, learned counsel appearing for the petitioner submits that the land has not been sold till date, the documents on record raises a presumption of a money trail which is required to be investigated.

Since, charge-sheet has not been filed till date, the petitioner's presence is required for investigation.

3. We are hence of the view that the petitioner's prayer for anticipatory bail cannot be allowed.
4. CRM(A) 657 OF 2023 is accordingly rejected in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)