

03.04.2024

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S.D./A.D.

Rejected

C.R.M. (A) No. 1098 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 103 of 2024 dated 17.01.2024 under Sections 379 of the Indian Penal Code.

And

In Re : Prasenjit Sarkar petitioner

Ms. Minoti Gomes

Md. Hafiz Ali

Mr. Debajyoti De

.....for the petitioner

Md. Anwar Hossain

Ms. Mala Saha

....for the State

1. Petitioner submits he was an employee of the *de facto* complainant. There was a theft in the office of the *de facto* complainant. He has been falsely implicated. He prays for anticipatory bail.
2. Learned Lawyer for the State submits petitioner was the storekeeper. He misappropriated goods over ₹1,00,000/-.
3. We have considered the materials on record. The petitioner was the storekeeper in the *de facto* complainant's office. It is alleged he misappropriated goods over ₹1,00,000/-. Custodial interrogation for recovery of the stolen goods is necessary.
4. In light of the aforesaid facts, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.

5. The application for anticipatory bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)