

19.04.2024
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Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 1362 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chinsurah** Police Station Case No. **575 of 2023** dated **08.12.2023** under Sections **409/406/420** of the Indian Penal Code.

And

In Re : **Ruksar Kaji @ Rukhsar Kazi**

..... petitioner

Md. Mahmud

Mr. Asif Iqbal Baidya

...for the petitioner

Mr. Joydeep Roy, Ld.Jr. Govt.,

Mr. Ivan Roy

.... For the State

Petitioner prays for anticipatory bail.

Learned counsel appearing for the petitioner submits that, one Tapan Podder filed a police complaint alleging defalcation. Petitioner was arrested in such police case. Petitioner refunded such money. Such police case is still pending. Thereafter, the bank at which the petitioner was working, filed the police complaint which includes the defalcation so far as the Tapan Podder is concerned.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The present police complaint involves four accounts of the customers of the bank. It includes Tapan Podder. Apparently, petitioner while working as an employee of a bank, defalcated amount belonging to the customers.

A banker holds the position of a trust. Actions of the petitioner are contrary to the trust that a customer reposes on the banker.

Materials in the case diary suggest the requirement of investigation. Enlarging the petitioner on anticipatory bail will be inimical to such investigation.

Consequently, we are unable to grant anticipatory bail to the petitioner and the prayer for anticipatory bail is rejected.

The application being **CRM (A) 1362 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)