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WPA 13223 of 2023

Durga Barik Ghosh
-vs-
The State of W. B. & ors.

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury

....for the petitioner
Mr. Amitesh Banerjee, Ld. Sr. Standing Counsel
Mr. Suddhadev Adak
....for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner made an allegation that bank officials and the prime accused conspired for having loans sanctioned and money siphoned off. Several accounts of unsuspecting victim have been used in this regard. Yet, charge sheet was submitted only against two and that too, by a rather lax investigation. The money trail was not tracked. In all, there are about five cases of similar nature mentioned in the writ petition. The police have not investigated the cases properly. It appears that in one such cases, a holder of an apparent beneficiary account, gave a statement under Section 164 of the Code of Criminal Procedure that her bank account had been used by the accused for parking such money. Yet, the said bank account and the similar bank accounts have not been frozen. No prayer was made to have the accused brought into police custody.

Learned counsel appearing on behalf of the State relies on the case diaries of five cases and submits as follows. Most of the accused have been arrested including the Bank Manager. They are in judicial custody at present. Several documents have been seized and witnesses examined.

It appears that the Investigating Officer have taken some steps in investigating the case.

However, it is surprising that the beneficiary bank accounts have not been frozen. The Investigating Agency shall explore the possibility of making appropriate prayers in this regard.

As a charge sheet have already been submitted, let the proceedings be concluded expeditiously and in accordance with law.

With the observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)