

24.05.2024
Item No.6
Ct. No. 3
CHC
Allowed

C.R.M.(A) 1804 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burrabazar** Police Station Case No. **312** dated **28.11.2023** under Sections **467/468/471/420/406/120B/409** of the Indian Penal Code, pending before the Court of the Learned Additional Chief Metropolitan Magistrate, Calcutta.

And

In the matter of : Saptarshi Mandal @ Saptarshi Mondal & anr.
..... petitioners

Mr. Dipanjan Dutt,
Mr. Subhajit Chowdhury
....for the petitioners

Mr. Madhusudan Sur, Ld. A.P.P.
Mr. Sayan Dev Kumar
....for the State

Mr. Anirban Dutta,
Ms. Minal Palara,
Mr. Rahul Poddar
....for the de facto complainant

Petitioners, State and de facto complainant are represented.

Petitioners are Managers of Bank.

Learned advocate appearing for the de facto complainant submits that, petitioners allowed banking facilities to a company through Directors and that, signature of one of the

Directors was forged. By such process, creditors have been paid. The creditors who are paid overbilled the company.

Learned advocate for the State draws the attention of the Court to the materials in the Case Diary and submits that, signature of the Directors of the company were apparently forged. He submits that, in excess of Rs.1.5 Crores were transferred. Petitioners before us as noted above are Managers of a bank. Apparently, there are disputes *inter se* between stake holders of the company.

Materials in the Case Diary do not suggest requirement of placing any of the petitioners in custody at this stage.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners will report before the Investigating Officer once in a week till the conclusion of investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the

anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1804 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)