

09.7.2024
SL No.31
Ct No. 29
SB

CRM (A) 2244 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Patrasayer Police Station Case No. 65 of 2024 dated 02.5.2024 under Sections 420/406 of Indian Penal Code.

And

Dhiraj Basu Mallick
Vs.
The State of West Bengal

Mr. Arka Ranjan Bhattacharya ... for the petitioner.

Mr. Madhusudan Sur
Mr. Sekhar Barman ... for the State

1. Learned counsel for the petitioner submits that the petitioner is an innocent person and has been falsely implicated. The petitioner submits that due to fluctuations in the share market, the profit margin has been reduced and this has resulted in a dispute between the petitioner and his clients who have invested the money through him to utilize in share trading.
2. Learned counsel for the State submits that there is a clear case of criminal breach of trust and he has misappropriated huge amount.
3. Considering the materials available in the case diary, the nature of transaction and the extent of complicity in the alleged offence and on an assurance that the petitioner shall meet the Investigating Officer as to be directed by this Court, with all relevant records, we are of the opinion that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer of the case once in week or as and when required and shall not leave the jurisdiction of the Tarakeswar Police Station without the permission of the Investigating Officer till the submission of the final report.
5. It is further directed that the present petitioner shall appear before the learned Jurisdictional Court in connection with G.R. Case No. 635 of 2024 within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Uday Kumar, J.)

(Soumen Sen, J.)