

09.07.2024
Court No.29
Item No. 45

Allowed

sg

CRM (A) 2258 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Barasat Police Station Case No. 217 of 2024 dated 10.04.2024 under Sections 420/406 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Barasat, North 24 Parganas.

And

In Re: **Dr. Sudipa Chakraborty @ Sudipa Chakravarty**
Petitioner

Mr. Kallol Mondal
Mr. Kishan Ray
Mr. Souvik Das
Mr. Anamitra Banerjee
Mr. Sk. Istiaque

For the Petitioner

Ms. Zareen Nasima Khan
Mr. Sujoy Sarkar

For the State

Ms. Debilina Das

For the de-facto complainant

1. The petitioner as of now, is one of the trustees of Biotech which runs an institute by the name of Institute of Genetic Engineering, affiliated to Maulana Abdul Kalam Azad University of Technology, West Bengal. It is submitted that the co-trustees have joined hands in order to malign her and made allegation of misappropriation and/or siphoning off funds. It is further submitted that a civil suit has been filed by the petitioner on 9th March, 2024 and thereafter on 10th April, 2024, an FIR has been lodged by the de-facto complainant.
2. The learned Counsel for the de-facto complainant submits that the petitioner is influential and has misappropriated large sums of money from the Institute

as would reveal from the record made available to the investigation agency. It appears that there has been a prima case for misappropriation.

3. Considering the materials available in the case diary, having regard to the nature of dispute between the petitioner and the co-trustees and also having regard to the fact that a civil suit is pending between the parties and the fact that the petitioner has complied with notice under Section 41 of the Cr.P.C., we are of the view that custodial interrogation of the present petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Dr. Sudipa Chakraborty @ Sudipa Chakravarty**, shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to further condition that the petitioner shall cooperate with the investigation. The petitioner shall appear before the Chief Judicial Magistrate, Barasat, North 24 Parganas in G.R. No. 1379 of 2024 within two weeks from date.
5. In the event the petitioner fails to comply with any of the above conditions, the trial court shall be at liberty to cancel her bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. CRM (A) 2258 of 2024 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)