

22.07.2024
Court No.29
Item No. 17

sg

CRM (A) 2422 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS Act, in connection with Raidighi Police Station Case No. 687 of 2023 dated 14.12.2023 under Sections 420/408/409 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24 Parganas.

And

In Re: **Mohan Lal Halder alias Mohanlal Halder**
Petitioner

Mr. Jayanta Narayan Chatterjee
Mr. Debashis Banerjee
Ms. Pritha Sinha
Mr. Rakesh Jana
Mr. Bhaskar Mondal

For the Petitioner

Mr. Debabrata Chatterjee
Ms. Baishakhi Chatterjee

For the State

1. The learned Counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated. It is submitted that the investigating agency has seized all the documents. The petitioner was only a cashier and the Cooperative Society was not functional for some time. The petitioner shall cooperate with the investigation. It is further submitted that the petitioner was forced to deposit a sum of Rs.10 lakh under coercion.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary and the statement of the petitioner admitting guilt.

3. A bank statement has also been placed before us to show voluntary deposit a sum of Rs.10 lakhs on 18th September, 2023.
4. The learned Counsel for the State has also referred to the statement of the witness connected with the affairs of the Co-operative Society implicating the petitioner.
5. Considering the materials in the case diary and having regard to the gravity of the offence which involves misappropriation of over Rs.1 crore and having regard to the fact that incriminating materials available in the case diary against the petitioner and more particularly the statement of the witnesses which are connected with the said Co-operative Society, we are not inclined to grant anticipatory bail to the present petitioner.
6. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Soumen Sen, J.)

(Uday Kumar, J.)