

02.09.2024
Court No.29
Item No. 31

Allowed
sg

CRM (A) 2992 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, in connection with Tehatta Police Station Case No. 583 of 2024 dated 06.08.2024 under Sections 409/420 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Tehatta Nadia.

And

In Re: **Tagari Ghosh**

Petitioner

Mr. Arindam Jana
Mr. Asraf Mondal

For the Petitioner

Mr. Antarikshya Basu
Mr. Santanu Talukdar

For the State

1. The learned Counsel for the petitioner submits that the petitioner is the Pradhan of Kanainagar Gram Panchayat and she has been falsely implicated.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary and submitted that the petitioner did not follow the extant norms in relation to the public tender and there are incriminating materials suggesting that she has misappropriated a sum of Rs.5,00,000/-. However, it is submitted that all relevant documents have been seized in the meantime.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the nature of allegation and in view of the fact that the Investigation Officer has already seized all the relevant documents, we are of the view that custodial interrogation of the present petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioner namely, **Tagari Ghosh**, shall be released on bail upon furnishing a bond of Rs.25,000/-, with two registered sureties of like amount each, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. as and when required following the norms applicable to a woman accused till the submission of the final report. The petitioner shall appear before the learned Additional Chief Judicial Magistrate, Tehatta Nadia within two weeks from date.
5. In the event the petitioner fails to comply with any of the conditions as mentioned above, 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 petitioner is allowed.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)