

11.09.2024

Court No.29

Item No. 41

Allowed

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CRM (A) 3247 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raghunathganj Police Station Case No. 254 of 2023 dated 22.03.2023 corresponding to G.R Case No. 683 of 2023 under Sections 406/409/420/465/467/474/477A of the Indian Penal Code.

And

In Re: **Manowara Bibi**

Petitioner

Mr. Avijit Chakraborty For the Petitioner

Mr. Rudradipta Nandy, Ld. APP

Ms. Sushismita Dutta For the State

1. The misappropriation of fund in a charitable trust is the subject matter of a complaint made by the Chairman of the Trust. Prima facie, it appears to be the dispute between the Chairman, Secretary and the Treasurer of the Trust. The present petitioner is the Treasurer. However, it is submitted that she did not have the mandate to operate the bank account. Prima facie, the case of misappropriation by her does not stand. The son was arrested and enlarged on bail. Moreover, the charge-sheet has already been filed.
2. Considering the aforesaid facts, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Manowara Bibi** shall be released on bail upon furnishing a bond of Rs. 10,000/-, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the

conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, Jangipur, Mujrshidabad**, corresponding to **G.R Case No. 683 of 2024** within one week from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Prasenjit Biswas, J)