

02.01.2024
Item No.31 & 32
Ct. No. 29
CHC
(disposed of)

C.R.M.(A) 4239 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Anti Corruption Branch (A.C.B)WB P.S** Case No. **06/23** dated **22.06.2023** under Sections **409/120B** of the Indian Penal Code, 1860 read with Section **13(1)(a)** of the Prevention of Corruption Act, 1988 (as amended till date) Special Case (ACB) 06-2023.

And

In the matter of : Lalita Prasad

..... petitioner

with

C.R.M.(A) 4241 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Anti Corruption Branch (A.C.B)WB P.S** Case No. **06/23** dated **22.06.2023** under Sections **409/120B** of the Indian Penal Code, 1860 read with Section **13(1)(a)** of the Prevention of Corruption Act, 1988 (as amended till date) Special Case (ACB) 06-2023.

And

In the matter of : Pradip Prasad

..... petitioner

Mr. Sekhar Kumar Basu, Sr. Advocate
Mr. Souvik Sen

....for the petitioner in CRM(A)4239/23

Mr. Dipankar Dandapath,
Mr. Souvik Sen

...for the petitioner in CRM(A)4241/23

Mr. Sudip Ghosh, Sr. Govt. Advocate
Mr. Koushik Kundu

....for the State in CRM(A)4239/23

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta

...for the State in CRM(A)4241/23

Two applications for anticipatory bail are taken up for consideration analogously as they emanate out of the same police case.

Both the petitioners in the two applications for anticipatory bail were granted interim anticipatory bail on October 16, 2023 passed by the co-ordinate Bench.

It is submitted on behalf of the State that, police filed charge-sheet and that, the petitioners in the two applications for anticipatory bail were called as witnesses to the incident by the Investigating Officer.

It is submitted on behalf of the State that, police are investigating into 48 schemes out of which in respect of two police filed charge-sheet. In those two the petitioners are not accused.

Memo of evidence submitted in Court be taken on record.

At this stage, police are not considering either of the petitioners as an accused in any of the schemes.

In such circumstances, the question of enlarging any of the petitioners on anticipatory bail does not arise as there is no apprehension of arrest.

C.R.M.(A) 4239 of 2023 and C.R.M.(A) 4241 of 2023 are disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

