

03.01.2024
Item No.66
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4371 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sonamukhi** Police Station Case No. **4** of **2023** dated **05.01.2023** under Sections **409/420/468** of the Indian Penal Code.

And

In the matter of : Sri Kshetranath Lohar

..... petitioner

Mr. Samiran Mandal,

Mr. Abhinaba Dan

....for the petitioner

Mr. Bibaswan Bhattacharya

....for the State

Petition is taken up for consideration subsequent to the order dated October 16, 2023 passed by the co-ordinate Bench.

By such order, the coordinate Bench granted interim anticipatory bail to the petitioner.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State submits that, the petitioner as a public servant, misappropriated funds not only to the extent of Rs.95,000/- covering the initial complaint but in respect of other bank accounts also.

Apparently, the petitioner was working as a Sub Post Master in his official capacity. Apparently, he indulged in misappropriation of funds belonging to the members of the public. Entire misappropriate fund is yet to be recovered. Enlarging the petitioner on anticipatory bail will be inimical to the investigation.

In such circumstances, we are unable to extend the interim order of anticipatory bail granted on October 16, 2023 or grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4371 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)