

**04.01.2024**

Serial no. 72

Anticipatory bail

**[Rejected]**

2d

**CRM (A) 4494 of 2023**

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Jagacha** Police Station Case No. **144** of **2023** dated **01.08.2023** under Sections **406/420** of the Indian Penal Code, 1860.*  
(G.R. Case No. 3785/2023)

-And-

In the matter of : **Atanu Saha**

... ..**Petitioner**

Ms. Priya Ghosal, Advocate

... ... For the Petitioner

Mr. Shiladitya Banerjee, Advocate

... ...For the State

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is a counter police compliant also.

Learned advocate for the State submits that the petitioner under the guise of providing computer classes and product of health services to be sold collected a sum of in excess of Rs.7 lakhs from the members of the public. Petitioner did not provide such classes or products for sale to such persons. Such persons apparently caught hold of the petitioner

whereupon the petitioner refunded a sum of Rs.99 thousand only.

Apparently, the petitioner indulged in collecting money from the members of the public on the promise of imparting computer classes and providing health services for sale. Petitioner did not keep either of the two promises.

Enlarging the petitioner on anticipatory bail at this stage will be inimical to the investigation. More so, it will send wrong signal to the society.

Consequently, we are unable to confirm the interim anticipatory bail granted on October 16, 2023 or grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

**CRM (A) 4494 of 2023 is dismissed.**

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**