

08.11.2024

11
sdas
Allowed

C.R.M. (A) No. 3619 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Raniganj Police Station Case No. 118 of 2024 dated 02.04.2024 under Sections 420/406/467/468/120B of the Indian Penal Code read with Section 379 of the Indian Penal Code.

And

In Re : Vinay Vinod Kumar petitioner

Mr. Sabyasachi Banerjee

Mr. Swaraj Shaw

Mr. Minal Palana

.....for the petitioner

Ms. Rituparna Ghosh

Ms. Anikita Paul

....for the State

1. Learned Counsel for the petitioner submits he was working as a Manager, Accounts and Finance, in the complainant company. He had been offered to resign. Subsequently a criminal case was registered against him in 2022 alleging that he had wrongfully refused to repay a sum of Rs.4,50,000/- to the company. Thereafter he had made complaints to the Director General of Goods and Services Tax, Intelligence and Income-tax Department against the company. In retaliation present case has been started. Accordingly, he prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioner had been offered to resign from the company in 2021.

Thereafter FIR was registered against him alleging that he had taken a loan of Rs.4,50,000/- which he refused to repay. He was granted anticipatory bail. Subsequently present case has been registered alleging that he demanded 50,00,000/- from the company. In the interregnum petitioner had lodged complaints to tax authorities alleging tax evasion from the company. Possibility of false implication on this score cannot be ruled out. In such view of the matter we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail subject to conditions.

4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date and on further condition that he shall meet the investigating officer once in a week until further orders.

5. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

