

08.01.2024
ML114
Court No.29
(AD)
(Rejected)

C.R.M. (A) 4714 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Techno City** Police Station Case No.**74 of 2023** dated **03.05.2023** under Sections **406/418/420/120B** of the Indian Penal Code, 1860.(G.R. Case No.2081 of 2023).

And

In the matter of: **Laxmipath Bucha**

....petitioner.

Mr. Dipankar Aditya
Ms. Tina Biswas

... for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya

...for the State.

Mr. Saswata Gopal Mukherji
Mr. Dabadrita Mondal
Ms. Sudeshna Chanda

... for the opposite party.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

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

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

Apparently, the petitioner herein took the gold belonging to the de facto complainant, pledged such gold with a bank and

obtained loan against such pledge. Petitioner is yet to return the gold.

In our view, the police complaint requires investigation.

Enlarging the petitioner on anticipatory bail at this stage, will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 4714 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)