

31.01.2024
DL-29
Court No.29
(AD)
(Rejected)

C.R.M. (A) 5147 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Farakka** Police Station Case No.**356 of 2023** dated **13.09.2023** under Sections **464/409/34** of the Indian Penal Code, 1860. (G.R. Case No.2393 of 2023).

And

In the matter of: **Wahida Khatun**

....petitioner.

Mr. Soubhik Mitter
Mr. Arindam Dey
Mr. Smrajit Basu

... for the petitioners.

Mr. Debashis Roy, Ld. PP
Mr. Rudradipta Nandy, Ld. APP
Ms. Sonali Das

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is the Ex-Pradhan of the Gram Panchayat where it is alleged that there are certain anomalies with regard to a government scheme. He submits that the petitioner is in no way involved in such anomalies.

Learned Advocate appearing for the State submits that the police complaint was lodged subsequent to an order dated January 3, 2023 passed by the High Court in the Public Interest Litigation being WPA(P) 639 of 2022. He refers to the materials in the case diary.

A Public Interest Litigation was filed in this Court being WPA(P) 639 of 2022 which was disposed of by an order dated January 3, 2023 by permitting the petitioners therein to file a detailed and comprehensive representation with the authorities. The authorities were directed to conduct an enquiry and to take appropriate steps with regard thereto.

Pursuant to such order, the authorities found a representation which was enquired into. Enquiry report is in the

case diary. Enquiry report speaks of number of anomalies in the Gram Panchayat in relation to the government scheme.

Report speaks of involvement of the petitioner in such anomalies.

Role of the petitioner requires investigation.

Enlarging the petitioner on anticipatory bail in such situation will be inimical to the investigation.

Consequently, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 5147 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)