

29.11.2024

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Allowed

C.R.M. (A) No. 4150 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Chandannagar Police Station Case No. 269 of 2022 dated 09.12.2022 under Sections 406/408/409/465/467/468/471/120B of the Indian Penal Code.

And

In Re : Sayan Adhikary petitioner

Mr. Sourav Chatterjee

Mr. Sourat Nandy

.....for the petitioner

Mr. Anand Keshri

Ms. Mamata Jana

..... for the State

1. Learned Counsel for the petitioner submits he was Assistant Service Manager and posted at Chandannagar in OPPO India Service Center. Subsequently he was promoted. During audit there was a mismatch of 500 hand-sets value of which alleged to have been misappropriated. Petitioner was falsely implicated in these cases. Investigation is complete. He has been granted pre-arrest bail in other cases. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits prayer for anticipatory bail of one Jayashree Das was turned down by a co-ordinate Bench of this Court.

3. We have considered the materials on record. It is alleged employees attached to the OPPO India Service Center

had made false entries and misappropriated value of 500 hand-sets. Investigation reveals crime was committed by the Area Sales Manager in aid of Jayasree Das. Money trail shows misappropriated money has been credited to Jayasree's account. No such material is placed before us with regard to the petitioner. Investigation is complete. In view of the aforesaid facts we are inclined to grant anticipatory bail to the petitioner.

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, one of whom must be local, 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

