

06.03.2024
Item No.26 with 27
Ct. No. 29
CHC
Rejected

C.R.M.(A) 5419 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandrakona** Police Station Case No. **382** of **2022** dated **16.09.2022** under Sections **420/406/409/120B/34** of the Indian Penal Code, 1860.

And

In the matter of : Sk. Jaiur Rahaman
..... petitioner

With

C.R.M.(A) 352 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandrakona** Police Station Case No. **382** of **2022** dated **16.09.2022** under Sections **420/406/409/120B/34** of the Indian Penal Code, 1860.

And

In the matter of : Gofur Ali Khan
..... petitioner

Mr. Sabir Ahmed
....for the petitioner in CRM(A) 5419/23
and CRM(A) 352/24

Mr. Provash Bhattacharya,
Sk. Arif Hossain
....for the State in CRM(A) 5419 of 2023

Mr. Debasish Roy, Ld. P.P.
Mr. Rudradipta Nandy, Ld. A.P.P.
Mrs. Manasi Roy
....for the State in CRM(A) 352 of 2024

Two applications for anticipatory bail are taken up for consideration analogously as they emanate out of the same police station.

The applications were taken up for consideration on February 26, 2024 and it was adjourned on the contention of one of the petitioner that, alleged amount defalcated was repaid to the bank.

Learned Public Prosecutor appearing for the State draws the attention of the Court to the report of the police. He submits that, the person allegedly giving the certificate of receipt of payment on behalf of the society is a co-accused. The bank did not actually receive the amount.

Materials in the Case Diary implicate all the petitioners in the two applications in an incident of fraud and defalcation of public money.

Considering the gravity of the offence and the involvement of the petitioners as transpiring from the materials in the Case Diary, we are unable to grant anticipatory bail to any of the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5419 of 2023 and CRM(A) 352 of 2024 are disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)