

Court No. 1

Calcutta High Court

01.05.2024

In the Circuit Bench at Jalpaiguri

(JPD 49)

Appellate Side

(S. Banerjee)

CRM (A) 354 of 2024

(Allowed)

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In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Coochbehar Kotwali Police Station Case No. 129 of 2024 dated 08.02.2024 under Sections 403/406/409/420/417/418 of the Indian Penal Code.

And

In the matter of: Ratan Das

...petitioner

Mr. Subhasish Misra

... for the petitioner

Mr. Abhijit Sarkar
Mr. Sourav Ganguly

... for the State

1. Heard learned counsel for the parties.
2. There is an allegation as against the present accused-petitioner that being a Branch Postmaster he has misappropriated the customers' deposits by not crediting the same in respective accounts.
3. Prayer for anticipatory bail has been opposed on behalf of the State.
4. On perusal of the entire materials placed before us it appears to us that the entire investigation is document based.
5. Accordingly, we do not find any reason for any custodial interrogation of the present accused-petitioner.

6. Application for anticipatory bail is thus allowed.
7. 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 registered sureties of Rs. 5,000/-each, one of whom must be local, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, to the satisfaction of Arresting Officer and with a further direction to appear before the Investigating Officer twice in a week subject to the provision of Section 317 Cr.P.C. It is further directed that the present accused-petitioner shall not leave the jurisdiction of Coochbehar Kotwali Police Station till conclusion of investigation.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)