

21.05.2024
14
sdas
rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M.(A) No. 415 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 179 of 2024 dated 28.02.2024 under Sections 420/468/407 of the Indian Penal Code.

And

In Re : Amit Kumar Ghosh @ Amit Ghosh petitioner

Mr. Partha Pratim Sarkar

Mr. Sudip Guha

.....for the petitioner

Mr. Nilay Chakraborty, learned APP

Ms. Namrata Das

..... for the State

1. Learned Counsel for the petitioner submits he was a former employee of the de facto complainant. Criminal case was registered one year after the incident. Investigation revolves around the documents and he is ready to co-operate with the investigation. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner had manufactured fake documents including ledgers and misappropriated a sum of Rs.14 lakhs. Upon verification of the accounts de facto complainant became aware of the defalcation and lodged FIR.

Custodial interrogation of the petitioner for recovery of stolen properties is necessary.

3. We have considered the materials on record. Petitioner is alleged to have misappropriated a sum of Rs.14 lakhs by forging documents and preparing fake ledger entries. Defalcation was subsequently noticed and FIR came to be registered. This explains the delay. Petitioner did not co-operate during investigation. His custodial interrogation is necessary for progress of investigation and recovery of stolen properties. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioner.

4. Application for anticipatory bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)