

22.08.2024.

Item No. 21

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 659 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 19.08.2024 in connection with Falakata Police Station Case No. 252 of 2014 dated 03.04.2014 under Sections 406/420 of the Indian Penal Code.

And

In the matter of: **Kuntal Paul.** ..Petitioner

Mr. Milindo Paul,
Mr. Nabankur Paul,
Ms. Sutapa Sen Paul,
Mr. Subham Das. ...For the petitioner

Mr. Nilay Chakraborty, ld. APP,
Mr. Tapan Bhattacharjee,
Mr. Chattu Roy.For the State

Ms. Bedashruti Bose.
...For the de facto complainant.

1. The application for anticipatory bail is canvassed on the ground that the petitioner was merely an employee of the Company, which collected deposits from the public at large, contrary to the Guidelines of Security Exchange Board of India.

2. The complainant is an employee of the Company and is represented in Court.

3. It is submitted by the Counsel for the de facto complainant that her client thought that the petitioner was a Director of the Company and she has subsequently

found out that the petitioner is an employee just like her client.

4. In the facts and circumstances of the case and considering the materials available on record, the petitioner has made out a case for anticipatory bail. This Court is of the view that the petitioner shall be entitled to anticipatory bail.

5. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.5,000/-, with two sureties of Rs.2,500/- each, one of whom must be local.

6. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.

7. The Case Diary be returned.

8. C.R.M. (A) No. 659 of 2024 is, thus, disposed of.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)

