

C. R. M. (A) 203 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 14.01.2025 in connection with English Bazar Police Station Case No.467 of 2024 dated 09.04.2024 under Sections 316(2)/316(5)/318(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.2290 of 2024)

And

In Re: ***Sagar Kumar Kundu***

... .. Petitioner

Mr. Kishore Mukherjee
Ms. Ahitagni Dey

... .. for the petitioner

Mr. Biswajit Nag
Mr. Saffik Rout

... .. for the de-facto complainant

Mr. Anand Kesari
Ms. Jonaki Saha

... .. for the State

1. It is submitted on behalf of the petitioner that he is the Headmaster of the school. Enquiry made by the appropriate authority does not implicate him in misappropriation of funds in the midday meal. Accordingly, he prays for anticipatory bail.
2. Report is placed on record. Report shows petitioner had enhanced the number of students who attended the school on relevant dates in respect of midday meal served to them. Thereby, he misappropriated funds.
3. Petitioner contends midday meals are prepared on the basis of school roster and not on actual attendance. This issue may be assessed in course of investigation. It is contended twelve students were absent and value of alleged misappropriation is not substantial.

4. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail however, subject to conditions.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, **Sagar Kumar Kundu**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall meet the Investigating Officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)