

21.04.2025
SL.28
Ct.No.28
NB

CRM (A) 1103 of 2025

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 in connection with Kalyani P.S. Case No.614 of 2024 dated 07th August, 2024 under Sections 409/420 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Kalyani, Nadia.

And

In the matter of: Angana Bhowmick Mukherjee petitioner

Mr. Shibaji Kr. Das,
Mr. Kushal Kumar.
...for the petitioner.

Mr. Ranadeb Sengupta,
Mr. Manoranjan Mahata.
...for the State.

Mr. Samrat Choudhury
...for the de facto complainant.

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was a Centre Manager of SIP Abacus in Kalyani. The In-charge of the said unit alleged that there were some defalcations of fees paid by the guardians of the students for the period 2020 to 2021. Without prejudice, out of a total sum of Rs.14 Lakhs alleged to have been defalcated and fixed as a settled sum of Rs.12.34 Lakhs, the petitioner paid back Rs.4 Lakhs.

Learned counsel appearing on behalf of the de facto complainant submits that his client has filed an application for compromise/settlement before the learned Magistrate.

Learned counsel appearing on behalf of the State submits that a prima facie case is made out. Charge sheet has not been submitted and investigation is going on.

In view of the materials available in the case diary and the purported subsequent developments, I do not think that custodial interrogation of the petitioner is required in this case.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition not to threaten or intimidate witnesses and to cooperate with the Investigating Officer.

The application for anticipatory bail being **CRM(A) 1103 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)