

19.05.2025
Court No.28
Item No.23
ssi

CRM (A) 1409 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Goghat PS Case No.**569 of 2024** dated **16.12.2024** under Sections **420/406/408/34** of the Indian Penal Code.

And

In the matter of: **Biswajit Malik**

....Applicant/Petitioner.

Mr. Rajdeep Mazumder, Ld. Sr. Adv.
Mr. Abir Ranjan Neogi
Mr. Karan Bapuli

....for the petitioner

Mr. Debasish Roy, Ld. PP
Ms. Subhasree Patel
Ms. Sana Naaz

..for the State

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner was the Manager of a Krishi Unnayan Samity. He was in that post from 2009 to 2018 till he retired. The alleged defalcation actually took place between 2018 – 2022, as would be evident from the audit report annexed. The only allegation against the petitioner is that between 2009-2010 and 2018-2019, some loans were given but were not repaid. However, it would appear from the records that the loans were actually repaid. The fact that audit was not done till 2019 was not the responsibility of the present petitioner who was only the Manager of the Unnayan Samity. The petitioner was also falsely implicated in a murder case earlier due to political reasons. A report in final form has been submitted in the said case.

Learned Public Prosecutor representing the State relies on the case diary and memo of evidence and submits as follows. Although the loans, in question, were recorded as repaid in the

passbook of the customers, in the ledger books of the Unnayan Samity it was not so recorded. The money was simply embezzled by the petitioner and his associates and the sum ran to the tune of more than Rs. 2.5 crores.

In view of the incriminating materials available in the case diary and the fact that investigation is still going on, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail to the petitioner is rejected.

(Jay Sengupta, J.)