

05.08.2025
Sl. No.44
NB

C.R.M. (A) 1903 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 Debra PS Case No.142/2025 dated 21.02.2025 under Sections 318(4)/316(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Nayan Ranjan Jena

... petitioner

Ms. Reshmi Khatun.
...for the petitioner.

Mr. Koushik Kundu,
Ms. Eshita Dutta.
...for the State.

Mr. Kunal Ganguly
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was an employee of the de facto complainant. He had performed his part in having certain transactions done. However, the sale proceeds could not be recovered for the sale of certain products. Pursuant to the direction passed by this Court, the petitioner had gone to the police station to meet the Investigating Officer.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary. He submits that the petitioner had embezzled huge funds by taking away goods in the name of having them sold to purchasers. The details of purchasers given by the petitioner in the records were mostly found to be faked. One person who was found to be genuine stated that goods were supplied to him, but were thereafter taken

away. Learned counsel appearing, upon instruction from the Investigating Officer, submits that the petitioner did not come to meet the Investigating Officer pursuant to the notice issued.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that a total amount of Rupees Twenty Three Lakhs and odd was defalcated in such fashion by showing false sells and taking away the goods.

Considering the incriminating materials available in the case diary, the role ascribed to the present petitioner and the fact that investigation is going on, I do not consider this to be a fit case for granting anticipatory bail to the petitioner.

The application for anticipatory bail being **C.R.M. (A) 1903 of 2025** is, thus, rejected.

The personal appearance of the Investigating Officer is noted and is dispensed with.

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.)