

01/09/2025

M/L 43

Ct. No.28

S.Kundu

Rejected

C.R.M.(A) 2679 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with the P.T.N. case no. 226/2025 arising out of Kandi police station case no. 226/2025 dated 8.5.2025 under sections 406/420 of the IPC.

In the matter of: **Ajimuddin Sk.**

... Petitioner

Mr. Tapodip Gupta

...for the petitioner.

Ms. Sonali Bhar

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. Although there is an allegation that the petitioner had collected moneys from different investors/account holders of a village to deposit the same in the bank in question but did not do so, there is no document to show that such money was received by the petitioner.
2. Learned counsel appearing for the State relies on the case diary and submits as follows. Several villagers had trusted the present petitioner and given him sums to be deposited in bank in question as an agent. But, the petitioner embezzled such sums. In spite of giving a notice under Section 35(3) of the BNSS, the petitioner did not co-operate with investigation.

3. Considering the incriminating materials available in the case diary including the statements of alleged victims recorded in the case diary and the fact that the petitioner did not respond to the notice issued, I do not consider this to be a fit case for granting anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.
5. Personal appearance of the Investigating Officer is noted and is dispensed with.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)