

21.01.2026
Sl. No.20
NB

CRM (A) 4179 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 Durgachak PS Case No.0188/2025 dated 09.10.2025 under Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 316(2) of Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Dulal Chandra Samanta

... petitioner

Mr. Bikash Goswami,
Mr. Osman Gani Mallick,
Ms. Shipra Santra.
...for the petitioner.

Ms. Subhashree Patel,
Ms. Afreen Begum.
..for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a 76 year old secretary of a few NGOs. The only allegation is that he had diversified the funds. Actually, the requisite fund was not paid by the Government, therefore, he had to diversify the fund and send it to the account of an NGO for the purpose of feeding children.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She relies on the case diary, the statements, and documents of the bank accounts available in the case diary. She submits that the petitioner had diverted funds from the NGOs to the accounts of his wife, his son and himself. The total amount involved is about Rs.16 lakhs.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

The presence of the Officer-in-Charge of the concerned Police Station 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.)