26.11.2026
Court No.35.
D/L. 163.
Kausik
(Rejected)

CRM (A) 4100 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mothabari PS Case No. 692 of 2026 dated 25.08.2026 under Sections 316(5)/316(4)/318(4)/336/344/61(2)/3(5) of the BNS, 2023 and Section 100 of the West Bengal Co-operative Act, 2026.

And

In the matter of : Sabina Khatun

.....Petitioner.

Mr. Pawan Kr. Gupta
Mr. Nilanjan Adhikari
Mr. R. Islam
Ms. Sofia Nesar

.....for the Petitioner.

Mr. Roshni Singha Roy
Mr. Shankar Mukherjee

....for the State.

Learned advocate appearing for the petitioner submits that petitioner is a lady having a 7 months child and she is ready and willing to co-operate with the investigation and secure to the tune of Rs. 12 Lakhs. According to the learned advocate, petitioner was working as a clerk at the society and there is every possibility that her account has been misused by the management of the society.

State opposes the prayer for anticipatory bail.

Attention of the Court has been drawn to the 7 loan transactions which had been taken by using a single security. The total loans have aggregated to Rs. 34,26,000/-. There are transactions with one 'N.R. Admission Consultancy' which is being investigated and a sum of Rs. 21.97 Lakhs were received in her account from the said particular 'N.R. Admission Consultancy'. The investigation which is being carried out, as a whole, relates to a sum of Rs. 7.47 crores being defalcated from the society.

I have also taken into account the attending circumstances and the poor quality of collateral which were accepted for disbursing the loan or the same collateral being accepted for repeated loans being issued.

On an overall assessment of the same, since public money has been defalcated and the petitioner has a specific role, I am of the opinion, this is not a fit case for granting anticipatory bail.

Accordingly, CRM (A) 4100 of 2026 is **dismissed**.

Memo of Evidence submitted be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)