

AB 2022/2015
BEFORE
HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

Heard Mr RC Das, counsel for the petitioner who submits that the petitioner apprehends arrest in connection with Abhayapuri PS Case No. 159/2015 u/s 120(B)/468/471/406/409/420/34 IPC.

Counsel for the petitioner submits that an amount of approximately Rs. 11 lakhs was inadvertently deposited in his bank account which he has returned back after three days. He submits that one ABSI Achyut Kalita had by mistake credited Rs. 11 lakhs approximately into the bank account of the petitioner. He submits that the petitioner is 65 years old and a heart patient and as such, the anticipatory bail application should be considered sympathetically.

Mr BB Gogoi, Addl. P.P. submits that a committee had been constituted by the Commandant of which the petitioner and ABSI Achyut Kalita were members amongst others. Mr BB Gogoi submits that the committee was to disburse Dearness Allowance to the members of 8th APBn amounting to Rs. 2,29,67,728/-. However, the said amount was distributed and credited into various accounts of the committee members and their relatives. Petitioner's account was accordingly credited with Rs. 11,12,403/-. The Addl. P.P. submits that as per the Case Diary there are sufficient incriminating materials against the petitioner of conspiracy and cheating besides other charges.

I have heard the counsels for the parties and on perusal of the materials on record, I am of the view that the present petition cannot be allowed.

Accordingly, this anticipatory bail application is rejected.