

29.01.2021

Sl. No. 07

Srimanta

Ct. No. – 30

D/L

**CRM/868/2021
(Via Video Conference)**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with order dated 04.12.2020 passed by the Learned Chief Judicial Magistrate, Malda in G. R. Case No. 2718 of 2020 arising out of English Bazar Police Station Case No. 553 of 2020 dated 29.06.2020 under Sections 419/420/469 of the Indian Penal Code, 1860.

In the matter of : Chandan Roy

... Petitioner.

Mr. Ayan Bhattacharjee, Adv.,
Mr. Vishak Bhattacharya, Adv.,
Mr. Aniruddha Bhattacharyya, Adv.

... for the petitioner.

Mr. Ranabir Roychowdhury, Adv.

...for the State.

Having heard the Learned Advocate for the petitioner and the Learned Public Prosecutor-in-Charge and on perusal of the application for bail along with the documents annexed thereto, it is ascertained that against the petitioner charge-sheet has already been filed under Sections 419/420/469 of the Indian Penal Code. Allegation against the petitioner is that he committed cheating by impersonation and forged certain documents to illegally receive a sum of Rs. 2,00,000/- from the de facto complainant.

Though the Learned Public Prosecutor-in-Charge submits that he has not received the case diary, considering the nature of the charge levelled against the petitioner I am of the view that custodial trial in the instant case is not necessary. Accordingly, the petitioner is entitled to bail.

The petitioner is enlarged on bail of Rs.20,000/- with two sureties of Rs.10,000/- each to the satisfaction of the Learned Chief Judicial Magistrate, Malda with further condition that if on bail he will not enter upon the jurisdiction of English Bazar police station, induce or threaten the witnesses on behalf of the prosecution and attend the trial of the case on each and every date of trial. If the petitioner violates any of the above conditions his prayer for bail shall be cancelled without further reference to the Bench.

(Bibek Chaudhuri, J.)