

**CRM 9107 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Arambagh P.S. Case No.326 of 2020 dated 03.09.2020 under Sections 420/409 of the Indian Penal Code.

And

In the matter of: **Chandan Bar**

.... Petitioner

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Mr. Akashdeep Mukherjee

... For the Petitioner

Mr. Binay Kumar Panda
Ms. Puspita Saha

... For the State

The petitioner undertakes to appropriately stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The charge against the petitioner is that he duped an elderly lady by pretending that he would assist her in operating her bank account and a sum of Rs.40,000/- was illegally taken from the lady's bank account and found place in the petitioner's account.

The petitioner claims that he was only seeking to render assistance to the lady and a completely false case has been made out. In any event, the petitioner says that the amount is a paltry sum of Rs.40,000/-.

The State does not have anything to show that the petitioner indulges in such activity as a habit. It is possible that the petitioner

fall prey to his temptation and instead of assisting the lady at the ATM counter, the petitioner transferred the money to his own account.

Subject to the petitioner making a payment of a sum of Rs.50,000/- to the de-facto complainant within a fortnight from date, the petitioner will be entitled to obtain bail. The payment must be made before the petitioner is released.

Subject to the payment being made, the petitioner will be enlarged on bail upon furnishing security of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in Hooghly.

The petitioner must attend every date fixed for trial and in the event the petitioner is convicted, the payment made in terms of this order should be taken into account, including the additional amount by way of compensation to the victim.

CRM 9107 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)