

07.01.2021

Item no.9

Ct.5

CHC

Rejected

C.R.M. No.82 of 2021

(Physical Hearing)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 745/19 dated 15.11.2019 under Sections 489B/489C/120B of the Indian Penal Code.

And

In the matter of:-

Sakim Mia

... Petitioner

Mr. Kusal Kumar Mukherjee

.. for the petitioner

Mr. Swapan Banerjee

..for the State

This relates to the prayer for bail.

It is submitted by learned advocate Mr. Kusal Kumar Mukherjee for the petitioner that the petitioner has been falsely implicated in this case, and he has been undergoing detention for last 440 days. Charge-sheet according to petitioner has already been submitted on 10th February, 2020 and till date there has been no commencement of the trial causing great prejudice to the petitioner/accused.

Learned Additional Public Prosecutor, Mr. Swapan Banerjee raises strong objection against the prayer for bail referring huge recovery of counterfeited notes to the extent of Rs.10 Lakh from the possession of the accused person.

Having considered the materials already collected in the C.D. and bearing in mind the huge recovery of counterfeited notes, which obviously has sum effect over the economy of the State, we are not persuaded to grant bail to the petitioner.

The prayer for bail of the petitioner stands refused.

Learned court below is directed to proceed with the trial by framing charge in accordance with provisions of the law providing sufficient opportunity of hearing to either of the parties in this case.

C.D. be returned.

CRM 82 of 2021 stands **disposed of**.

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

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

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)