

25.06.2021

Court No.28
Item No.33

Ab
&
saswata

CRM 2524 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 08.03.2021 in connection with Dum Dum GRPS Case No. 20 of 2020 dated 16.12.2020 under Sections 399/402 of the Indian Penal Code.

And

In the matter of : **Raja Varma**

...Petitioner

Mr. Debasis Kar
Mr. Subhajit Chowdhury

...For the Petitioner

Mr. Rana Mukherjee
Mr. Santanu Chatterjee

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Dum Dum GRPS Case No. 20 of 2020 under Sections 399/402 of the Indian Penal Code.

It is submitted by the learned Advocate for the petitioner that the petitioner has been falsely implicated in this case without any actual recovery and the co-accused persons have already been granted bail. According to the petitioner, the detention of petitioner is nothing but in persuasion of an administrative arrest.

Mr. Rana Mukherjee, learned Advocate representing the State, is fair enough in his submission that nothing has been recovered from the possession of the accused person.

Having considered the submissions of both sides it appears that though it is a case of making preparation for commission of dacoity, but nothing has been recovered, indicative of making preparation for commission of dacoity. Since the petitioner has already undergone detention for a considerable period of six months

and since other co-accused persons are also on bail at this stage, we do not want to detain the petitioner any more in custody.

The prayer for bail of the petitioner is allowed.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000 /- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah, subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 2524 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Subhasis Dasgupta,J.)