

10.12.2021

Item No.4
Ct.No.34
dc.

C.R.M. 8210 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bantra P.S. Case No. 281 of 2021 dated 17.11.2021 (G.R.No. 6560 of 2021) under Sections 420/406/120B/506/34 of the Indian Penal Code.

And

In Re : **Surya Kanrar @ Surya Karar @ Surja Karar**
... Petitioner.

Mr. Sourav Chatterjee,
Mr. Aniruddha Bhattacharyya
... For the Petitioner.

Mr. Rudradipta Nandy
... For the State.

Mr. Shekhar Barman
... For the Complainant.

Learned advocate appearing for the petitioner submits that the present case was initiated pursuant to a notice under Section 138 of the Negotiable Instruments Act being served. According to the learned advocate, there were cheques covering the amount and the complainant, instead of pursuing his remedies under the Negotiable Instruments Act, has initiated the instant case and the police authorities registered FIR and subsequently arrested the petitioner who is in custody for 14 days.

Mr. Nandy, learned advocate appearing for the State opposes the prayer for bail. However, the learned advocate for the State is unable to satisfy the Court regarding further

search and seizure to be made in such case based on documents.

Mr. Barman, learned advocate appearing for the complainant submits that huge amount of money was not refunded to the complainant and as such, the complainant is facing financial hardship.

I have perused the materials on record and I find that the cheques, which were issued by the present petitioner, were dishonoured and subsequently the complainant thought of having no other option, approached the police authorities and the police authorities registered the instant case. On an overall appreciation of the facts of the case and having taken into consideration whether further detention of the petitioner is warranted, I am of the view that further detention of the petitioner is unwarranted in the facts and circumstances of the case. As such, the prayer for bail is **allowed**.

Accordingly, I direct that the petitioner, viz., **Surya Kanrar @ Surya Karar @ Surja Karar** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah and on further condition that the petitioner shall not tamper with evidence and/or interfere with the process of law.

The petitioner shall also not leave the jurisdiction of Bantra Police Station on and from 14th December, 2021

without express permission of the Officer-in-Charge, Bantra Police Station.

The application for bail, being CRM 8210 of 2021, is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)