

18.02.2021
Item no.07
Court No.28
Avijit Mitra

C.R.M. 8715 of 2020 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Balurghat Police Station Case No.10 of 2020 dated 06.01.2020 under Sections 489(B)/489(C) of the Indian Penal Code;

And

In re: **Gour Sarkar @ Gour Chandra Sarkar** ... petitioner.

Mr. Satudru Lahiri

... for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Tanmay Kr. Ghosh,

Mr. Arindam Sen

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner is in custody for about 406 days and the investigation has already been concluded. Further detention of the petitioner is unwarranted. Additionally, learned advocate emphasises on the ground that due to ill-health the present petitioner has been detained in custody for a considerable period of time.

Mr. Mukherjee, learned Public Prosecutor appearing for the State produces the report pursuant to the order dated 02.02.2021. It is reflected from the report that a Medical Board was constituted which indicates the treatment of the present petitioner.

Mr. Mukherjee further submits that about Rs. 6 lakh fake currency of the denominations of Rs. 500, Rs.200 and Rs.100 were recovered from the possession of the petitioner and as such the petitioner may not be released on bail.

Having regard to the quantum of fake currency which has been recovered from the possession of the present petitioner and the report so received from the Superintendent, Balurghat Central Correctional Home, we do not consider it a fit case for releasing the petitioner on bail at this stage. As such the prayer for bail of the petitioner is rejected.

However, the learned Trial Court would see the report of the Board which has been submitted before this Court and if required make necessary directions upon the jail authorities for follow-up treatment of the petitioner.

The learned Trial Court would also take steps for expediting the progress of the case without granting unnecessary adjournment to either of the parties.

With the above observation, the application being C.R.M. 8715 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)