

11.03.2021
Item No.11
Ct.No.28
Subha
Allowed

C.R.M. 10756 of 2020
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438
of the Code of Criminal Procedure.

And

In the matter of : Madhab Chandra Das ... Petitioner.

Mr. Arindam Jana
Mr. Sumanta Das

... For the Petitioners.

Mr. Saibal Bapuli
Mr. Soumik Ganguli

... For the State.

The present application under Section 439 of the
code of Criminal Procedure has been preferred by the
petitioner in connection with Durgachak P.S. Case No. 149
of 2019 dated 24-09-2019 under Sections
420/406/409/467/468/120B of the Indian Penal Code.

Mr. Jana, learned advocate appearing for the
petitioner submits that the petitioner had taken a loan of
Rs.65,000/- depositing co lateral of gold jewellery.

Today when the matter is taken up for hearing, the
learned advocate hands over a receipt stating that a sum of

RS.65,000/- was deposited in the name of Syndicate Bank bearing A/c. No. 955269940000125 on 10th March, 2021.

It has further been submitted that the interest which accrued is to the extent of Rs.22,000/- till date.

Mr. Bapuli, learned Additional Public Prosecutor appearing for the State submits that the Investigating Authorities had not been informed regarding the deposit, however, the gold jewellery which were kept with the bank as co lateral jewellery were found to be questionable in nature.

In view of the aforesaid circumstances, we direct the learned Additional Chief Judicial Magistrate, Haldia, Purba Medinipur that in case the petitioner surrenders before the said court within a period of four weeks from date, the learned court would check regarding the authenticity of the deposit, which would include the sum of Rs.65,000/- towards the principal sum of loan and the accrued interest of Rs.22,000/- till date or as stated by the bank authorities.

In case such deposit of Rs.87,000/- is found to be completed by the petitioner, the learned Additional chief Judicial Magistrate, Haldia, Purba Medinipur would release the petitioner namely, **Madhab Chandra Das** 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.

The petitioner shall not be arrested for a period of four weeks from date, for providing opportunity to him to

surrender/appear before the Learned Additional Chief Judicial Magistrate, Haldia, Purba Mednipur.

The application for anticipatory bail being CRM 10756 of 2020 is, accordingly, disposed of.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)