

19.01.2021
Item No.47
Ct.No.28
Subha
Allowed

C.R.M. 10759 of 2020
(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Munna Chowdhury ... Petitioner.

Mr. Prabir Majumder
... For the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh ... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Mothabari P.S. Case No. 50 of 2020 dated 29-01-2020 under Section 380 of the Indian Penal Code with added Section 395 of the Indian Penal Code (G. R. Case No. 516 of 2020).

The learned advocate appearing for the petitioner submits that the petitioner was arrested initially in another case and after he was granted bail and at the time of furnishing bond he came to know that two cases are pending against him. As such, the petitioner was taken into custody in connection with the instant case on 29th February, 2020 and since then he is in custody for about 300 days.

Learned advocate for the petitioner submits that the petitioner is innocent of the charges and another accused has been granted bail.

Learned advocate for the State opposes the prayer for bail of the petitioner and refers to the statement of the witnesses.

We have considered the materials on record and having regard to the period of detention of the present petitioner and the materials appearing against him, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner 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, Malda on further condition that the petitioner shall meet with the Officer-in-Charge of the Mothabari Police Station once a week until further orders.

The application for bail being CRM 10759 of 2020 is, accordingly, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)