

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

**CRM 392 of 2021
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Banarhat Police Station Case No.04 of 2021 dated 13.01.2021 under Sections 363/370(3)/465/468/34 of the Indian Penal Code.

And

In the matter of: Milan Tamang

.... Petitioner

Mr. Sandipan Ganguly,
Mr. Debasish Mukhopadhyay,
Mr. Anirban Banerjee.

... For the Petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Saikat Chatterjee.

... For the State

Learned counsel for the petitioner submits that the petitioner was apprehended on several charges, which were not substantiated by the materials seized by the police authorities. It is submitted that, although several passports were recovered from the custody of the petitioner, none of them were proved to be forged. Moreover, merely on the basis of suspicion, since two ladies were travelling with the petitioner in a car, the petitioner was apprehended.

Learned counsel for the State objects to the grant of bail.

However, it appears from the materials on record that there is sufficient scope of benefit of doubt being given in favour of the petitioner for the purpose of granting bail.

Accordingly, CRM 392 of 2021 is allowed, thereby granting bail to the petitioner, namely, Milan Tamang, on condition of furnishing security of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Jalpaiguri. The petitioner shall not leave the jurisdiction of the said court during trial and shall not issue, directly or indirectly, any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the court or to any police officer or tamper with the evidence. The petitioner shall attend each date of trial when the same commences.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)