

CRM (DB) 1354 of 2022

19.05.2022
Sl. 71
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Howrah** Police Station Case No. **32** of **2022** dated **19.01.2022** under Sections **489B/489C** of the Indian Penal Code, 1860.

And

In the matter of: **Partha Sarathi Dey @ Sanu**

....petitioner.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Souvik Das
Mr. Anamitra Banerjee

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Rudradipta Nandy

... for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He submits that there are seven police cases as against the petitioner. Some involving the Narcotic Drugs and Psychotropic Substances Act, 1985. He submits that the petitioner was acquitted in one of the NDPS case. There is a subsequent NDPS case where the Hon'ble High Court granted bail to the petitioner. After the petitioner was enlarged on bail, the petitioner was taken into custody. He submits that prior to the petitioner being taken into custody, the mother of the petitioner lodged a complaint with the police. He submits that the petitioner is in custody for 118 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that initially six number of fake currency were recovered from the

possession of the petitioner. Thereafter, two more were recovered on his leading statement. He submits that the present police case was initiated in the month of January 2022 while the order of bail is dated September 23, 2021.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet, we grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah subject to the condition that during bail the petitioner shall appear before the learned trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being **CRM (DB) 1354 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bivas Pattanayak, J.)

