

29.06.2022
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allowed

CRM(DB) 2062 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uttarpara Police Station Case No. 153 of 2022 dated 10.05.2022 under Sections 420/406/467/468/471 of the Indian Penal Code.

And

In Re : Sourav Majumder @ Subho petitioner

Mr. Amitabha Karmakar
Mr. Arnab Neogi

.....for the petitioner

Mr. Rudradipta Nandi, learned APP
Ms. Sonali Das

..... for the State

Mr. Saikat Mondal

..... for de facto complainant

Petitioner is in custody for 49 days.

Learned Counsel appearing for the petitioner submits that the dispute is civil in nature and the petitioner has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for bail. He submits that on the basis of false representation petitioner induced the de facto complainant to purchase vehicles which were not owned by him.

We have considered the materials on record. In the course of investigation, vehicles have already been seized. In view of such development in investigation, further detention of the petitioner for the purpose of investigation is not necessary.

Under such circumstances, we are inclined to grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Serampore, subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)