

05.07.2022
Sl. No.26
akd
[ALLOWED]

C. R. M. (DB) 2106 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.06.2022 in connection with Pursurah Police Station Case No. 74 of 2022 dated 19.05.2022 under Sections 379/411/412/413/414/120B of the Indian Penal Code read with Section 7(i)(a)(ii) of the Essential Commodities Act, 1955. (G.R. Case No.546 of 2022)

And

In Re: ***Koushik Manna***

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourov Mondal

... .. for the petitioner

Mr. Rudradipta Nandi .. Id. Addl. Public Prosecutor
Mrs. Sonali Das
Ms. Rajyashree Mukherjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 47 days. It is further submitted incriminating articles have already been recovered. No complaint of theft of rice from any dealer or godown has been alleged from any quarter.

Learned Additional Public Prosecutor opposes the prayer for bail and submits investigation is in progress.

We have considered the materials on record. Keeping in mind the facts and circumstances of the case in the light of the submission there is no complaint with regard to theft of rice from any dealer or godown and as incriminating articles have already been recovered, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Koushik Manna***, 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, Arambagh, Hooghly subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)