

25-11-2022
Subha
Item no. 17
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1813 of 2021

Soumen Kumar Hazra
-vs-
State of West Bengal.

In Re : An application under Section 482 read with Section 401 of the Code of Criminal Procedure.

Mr. Arindam Jana
Ms. Saloni Bhattacharyya
...for the petitioner.

Mr. Sandip Chakraborty
...for the State.

The petitioner furnishes bank's statement and tries to establish before the court that he had been a bona fide purchaser of the gold which was seized in connection with the case in respect of which seizure was effected and subsequently chargesheet has been submitted.

Mr. Chakraborty, learned advocate appearing on behalf of the State has already furnished his report and submits that chargesheet has already been submitted before the jurisdictional court.

Having regard to the same, I direct the petitioner to furnish a bank guarantee of Rs.20 lakhs for a period of five years subject to extension by the learned Additional Chief Judicial Magistrate, Sealdah or the learned trial court who would be in seisin of the criminal case.

I make it clear that the security in the form of bank guarantee would be there till the disposal of the trial, until and unless the

petitioner is able to make out a case of acquittal. Once such a bank guarantee is furnished before the court, the learned Additional Chief Judicial Magistrate, Sealdah or the learned trial court would return on a proper identity of the gold ornaments and after weighing the same to the petitioner with undertaking of production before the trial court as and when required without changing the nature and character of the gold ornaments which have been seized.

With the aforesaid observations, the present revisional application being CRR 1813 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]