

25-07-2022
Subha
Item no.15
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 164 of 2022

Sumit Ranjan Kanrar

-vs-

The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Udaynarayanpur P.S. Case No.45 of 2022 (Corresponding to G. R. Case No. 1158 of 2022) dated 20.05.2022 under sections 403/417/420 of the Indian Penal Code and under Section 138 of the N. I. Act.

Mr. Milon Mukherjee, Sr. Adv,
Mr. Mihir Banerjee
Mr. Malay Bhattacharyya

...for the petitioner.

Mr. Rudradipta Nandy
Mrs. Sonali Das

... for the State.

Mr. Milon Mukherjee, learned senior advocate appearing on behalf of the petitioner submits that the petitioner is in custody for about 38 days and search and seizure in respect of the cheques have been made by the Investigating Officer of the case.

Learned senior advocate for the petitioner also submits that the petitioner has been politically victimized and detained by the police authorities on wild allegations in spite of the case being made out for bailable offence under Section 138 of the Negotiable Instruments Act.

Mr. Nandy, learned Additional Public Prosecutor, High Court, Calcutta opposes the prayer for bail and draws the attention of this court to the seizure list which reflects regarding the cheques being seized on being produced by the persons alleged to be victims of the allurements of the present petitioner.

I have checked the case diary as well as the orders of the

learned Magistrate and from the records, I do not find that for more than a month the petitioner has been interrogated by the Investigating Officer. The case is completely based on documents.

Having regard to the aforesaid facts, I am of the opinion that further detention of the present petitioner is unwarranted in the facts and circumstances of the present case. Accordingly, the prayer for bail of the present petitioner is allowed.

Accordingly, the petitioner is directed to furnish bond 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, Ulberia, Howrah.

If on bail, the petitioner shall meet with the Investigating Officer of the case twice in a week till submission of the chargesheet. In case, the chargesheet is not been filed within a reasonable period of time, such condition would continue for the next three months.

The Petitioner is granted liberty to pray for modification thereafter.

With the aforesaid observations, the application for bail, being CRM (SB) 164 of 2022 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

