

15.07.2022
Item No.33
Court No.28
CHC
Allowed

CRM (DB) 2334 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No.56/2022 dated 19.01.2022 under Sections 406/420/409/120B of the Indian Penal Code.

-And-

In the matter of : **Saijuddin Seikh**

... .. Petitioner

Mr. Satarup Purakayasthya, Advocate
Mr. Amanul Islam, Advocate
Mr. Sourav Mukherjee, Advocate

... .. For the Petitioner

Mr. Sudip Ghosh, Advocate
Mr. Bitasok Banerjee, Advocate

... ..For the State

Petitioner is in custody for 123 days. He submits that dispute arose over the mis-management of the affairs of the cooperative society. Substantial portion of the alleged misappropriated sum has since been repaid.

Learned advocate for the State opposes the prayer for bail.

He submits that petitioner and other accuseds in collusion with one another misappropriated a sum over Rs.33 lakhs from the cooperative society.

We have considered the materials on record. It is contended that Rs.21 lakhs out of Rs.33 lakhs has been accounted for.

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to him.

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, Tehatta, Nadia, 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.)