

23.08.2022.
13.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2486 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baruipur P. S. Case No.732 of 2022 dated 26.04.2022 under Section 409 of the Indian Penal Code.

In the matter of : Rajendra Datta.

.... Petitioner.

Mr. Sabyasachi Chatterjee,
Mr. Debabrata Mondal,
Mr. Dinesh Ch. Mondal.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 92 days. It is submitted he was posted as Treasury-II and was not present in the treasury at the time when the alleged transaction took place.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. The instant case relates to misappropriation of a sum of Rs.1 crore which was remitted from the post office to the treasury. Petitioner was posted at Treasury-II and came to the office at 12.00 noon after the transaction had taken place.

In view of the extent of complicity of the petitioner in the crime and the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a 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, Baruipur, South 24-Paraganas subject to condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)