

05.08.2022.
26.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2641 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P. S. Case No.388 of 2021 dated 14.09.2021 under Sections 409/420 of the Indian Penal Code.

In the matter of : Chiranjit Samaddar.

.... Petitioner.

Mr. Kushal Kr. Mukherjee.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is the former branch head of Kalinga Post Office. He submits alleged misappropriated sum had already been recovered. There is considerable delay in lodging the first information report.

Learned Advocate for the State opposes the prayer for bail. He submits investigation is still in progress.

We have considered the materials on record. There is delay in lodging the first information report. Misappropriated sum as alleged in FIR has already been recovered. No further defalcation was revealed during custodial interrogation.

In view of the aforesaid circumstances and period of detention suffered by the petitioner, we are of the opinion

further detention for progress of investigation is not necessary and he may be granted bail.

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 Chief Judicial Magistrate, Krishnanagar, Nadia 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 and on further condition that the petitioner while on bail shall remain within the jurisdiction of Chapra Police Station except for the purposes of investigation and/or attending court proceedings and shall report to the Officer-in-charge of Chapra Police Station once in a week until further orders.

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.)