

22.08.2022

Item No.2

Ct.No.34

dc.

Allowed

C.R.M. (SB) 198 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chandernagore Police Station Case No. 154 of 2022 dated 04.07.2022 (G.R. No.1060 of 2022) under Sections 420/406 of the Indian Penal Code.

And

In Re : **Sanchaita Ghosh @ Sanchita Ghosh**
... Petitioner.

Mr. Tapas Kumar Ghosh,
Mr. Tanmay Chowdhury
... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Partha Pratim Das,
Mrs. Manasi Roy
... For the State.

Mr. Ghosh, learned advocate appearing for the petitioner submits that the petitioner is in custody for about 18 days and her anticipatory bail was rejected by this Court. As such, the learned Magistrate refused to release her on bail. Additionally, it has been submitted that in spite of the petitioner being in custody for a substantial period, there has been neither any recovery of any incriminating material nor there are allegations that she has tried to tamper with the evidence of the case. As such, on any condition, she may be released on bail.

Mr. Das, learned advocate appearing for the State at the very inception draws the attention of this Court to the observations made by the Division Bench wherein the

anticipatory bail of the petitioner was rejected. Learned advocate submits that the police authorities are attempting to unearth the various materials connected in connection with the instant case. Further, it has been submitted that release of the petitioner at this stage may jeopardize the investigation.

I have perused the allegation which relates to an amount of Rs.3,50,000/- being paid as loan or for the purpose of purchase of a flat as alleged. There are contradictory submissions by the learned advocate appearing for the petitioner and the learned advocate appearing for the State to the extent that while the petitioner submits that a sum of Rs.56,500/- has been repaid, the State submits that there are no documents to substantiate such claim.

I have considered the period of detention of the present petitioner and the manner in which the investigation of the case is proceeding. Having regard to the same, I am of the opinion that further detention of the petitioner is unwarranted in the facts and circumstances of the case. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Sanchaita Ghosh @ Sanchita Ghosh** shall be released on bail upon furnishing 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, Chandernagore, Hooghly.

The following conditions are imposed, if the petitioner is released on bail.

1. The petitioner shall not leave the sub-Division of Chandernagore without prior permission of the learned Additional Chief Judicial Magistrate, Chandernagore, Hooghly.
2. The petitioner is directed to cooperate with the investigation of the case and be available at her residence as and when the Investigating Officer intimates for the purpose of the investigation.

The application for bail, being CRM (SB) 198 of 2022, is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)