

19.09.2022.
30.
as
(Allowed)

C.R.M. (DB) 3160 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patrasayer P. S. Case No.122 of 2018 dated 16.11.2018 under Sections 420/468/471/409/120B of the Indian Penal Code.

In the matter of : Mintu Karmakar.

.... Petitioner.

Mr. Debasish Roy,
Mr. Avik Ghatak,
Mr. Sagnik Mukherjee.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Petitioner is in custody for eight and half months. It is contended the alleged misappropriated sum has been secured by co-accuseds who are on bail. He prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail. He submits petitioner has supplied forged and fabricated documents to co-accuseds and thereby aided and abetted them to misappropriate funds.

We have considered the materials on record. There are materials connecting the petitioner with the misappropriation of public funds. But the alleged misappropriated sum has been secured by co-accuseds who are on bail.

In view of the aforesaid fact, period of detention suffered by the petitioner and as investigation is complete, 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 Chief Judicial Magistrate, Bankura subject to condition that the petitioner 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)