

04.11.2022

Item No.3

Ct.No.34

dc.

Allowed

C.R.M. (SB) 255 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Shibpur Police Station Case No. 208 of 2022 dated 04.07.2022 under Sections 420/406 of the Indian Penal Code.

And

In Re : **Debabrata Ghosh**

... Petitioner.

Mr. Arindam Jana,
Mr. Siddhartha Sarkar

... For the Petitioner.

Mr. Rudradipta Nandy

... For the State.

Mr. Jana, learned advocate appearing for the petitioner submits that the petitioner is in custody for about 47 days and the genesis of the case relates to a loan being granted and non-refund of the same. According to the learned advocate, the case is exclusively based on documents and search/seizure being complete, further detention of the petitioner is unwarranted.

Mr. Nandy, learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner not only took loan, but committed by way of written agreement for refund of the said amount and to that extent issued cheques which were dishonoured.

Having regard to the period of detention of the present petitioner and the fact that majority of the documents have been collected by the investigating agency, I am of the

opinion that further detention of the petitioner is unwarranted in the facts and circumstances of the instant case. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Debabrata 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 Chief Judicial Magistrate, Howrah.

If on bail, the petitioner shall meet the Investigating Officer of the case once a week till submission of the charge-sheet. The petitioner shall not leave the jurisdiction of the district of Howrah without permission of the learned Chief Judicial Magistrate, Howrah.

The application for bail, being CRM (SB) 255 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.)