

06.12.2022
Sl. No.24
akd
[ALLOWED]

C. R. M. (DB) 4184 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.11.2022 in connection with Bhadreswar Police Station Case No. 526 of 2021 dated 06.12.2021 under Sections 420/406/506/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 420/406/506/34/467/468/120B of the Indian Penal Code. (G.R. Case No.1781 of 2021)

And

In Re: ***Simanta Pakrey***

... .. Petitioner

Mr. Tapas Kumar Ghosh
Mr. Tanmay Chowdhury

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 116 days. It is further submitted petitioner had been cheated by the principal accused viz. Subrata Dey. Prior to registration of FIR, he had lodged complaint with the police. Co-accused viz. Subrata Dey has been enlarged on bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Co-accused viz. Subrata Dey has been enlarged on bail. It is contended petitioner had complained against the said co-accused to police prior to registration of FIR. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to conditions.

Therefore, the accused/petitioner, namely ***Simanta Pakrey***, be released on bail upon furnishing a 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, Chandannagar, Hooghly subject to condition that the said 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 and on further condition that the petitioner shall meet the Officer-in-charge, Bhadreswar Police Station once in a week until further orders.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)