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C.R.M. (SB) 296 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Singur Police Station Case No.438 dated 10.10.2022 under Sections 420,406,468,471 of the Indian Penal Code;

Swapan Dey
Versus
The State of West Bengal

Mr. Raj Kumar Sharma.
...for the petitioner.

Mr. Saibal Bapuli,
Mr. Bibaswan Bhattacharya.
...for the State.

The petitioner was arrested on 29th October, 2022 as submitted by the learned advocate appearing for the petitioner. Learned advocate also submits that there has been non-compliance of Section 41A of the Code of Criminal Procedure and also undertakes to cooperate with the investigation of the case.

Mr. Bapuli, learned advocate appearing for the State opposes the prayer for bail and submits that there are materials appearing against the present petitioner.

I have considered the merits of the case which is on the foundation of documents.

The petitioner is in custody since last 52 days.

Having regard to the period of detention and the

documents which are to be assessed by the Investigating Agency, I am of the view that the Investigating Agency may take some more time to arrive at their final opinion. In view of the period of detention, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is allowed.

Thus, the petitioner, namely, Swapan Dey, 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, Chandannagore, Hooghly.

If on bail, the petitioner shall meet with the Investigating Officer of the case once a week till the charge-sheet is filed by the Officer before the jurisdictional court. The petitioner shall not change his residential address and in case there is compulsion of changing residential address, the same must be immediately brought to notice of the learned ACJM, Chandannagore as well as the Investigating Officer of the case.

The petitioner shall not leave the jurisdiction of Singur Police Station except for the limited purpose of attending the court without seeking the permission from the Investigating Officer. Such condition will be operative till the charge-sheet is filed before the jurisdictional court.

With the aforesaid observations, CRM (SB) 296 of 2022 is allowed.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)