

23.12.2022
S/L No.4
KS

C.R.M.(SB) 300 of 2022
Dinesh Yadav
-Vs.-
The State of West Bengal

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Sankrail Police Station Case No.1147 of 2022 dated 10.11.2022 under Sections 407 of the Indian Penal Code.

Mr. Mujibar Ali Naskar
..... For the Petitioner
Mr. Navanil De
.....For the State

The petitioner is in custody for 37 days. The investigation of the case is in progress. Till date, there has been no recovery as has been submitted by the learned advocate appearing for the petitioner.

Learned advocate appearing for the State submits that 22 air conditioners were misappropriated and happened to be a delivery boy who was responsible for such delivery.

I find that the complainant company is the carrier company and the customer or the recipient of the 22 air conditioners namely, M/s. Mytech Telecom Services Private Limited has not lodged any complaint or their statement has not been recorded in course of investigation.

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 instant case, the petitioner would 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 C.J.M. Howrah. If on bail, the petitioner shall meet with the Investigating Officer of the case once in a week till submission of the charge-sheet. The petitioner shall not leave the jurisdiction of Tangra Police Station without the leave of the Learned C.J.M., Howrah except for the limited purposes of attending the Court and the Investigating Officer of Sankrail Police Station. The petitioner shall make himself available before the Learned Trial Court each and every date on and from the date of submission of the charge-sheet. Any change in address of the petitioner must be brought to the notice of the Learned C.J.M, Howrah as well as the Officer in Charge of Sankrail Police Station. Non-compliance with any of the aforesaid conditions would empower the Learned C.J.M. or the jurisdictional Magistrate, Howrah to cancel the bail without further making any reference to this Court.

Accordingly, C.R.M.(SB) 300 of 2022 is allowed.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)