

09.01.2023
Sl. No.27
CHC
[ALLOWED]

C. R. M. (DB) 35 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 3rd January, 2023 in connection with Belur Police Station Case No.149 of 2022 dated 02.07.2022 under Sections 489B/489C of the Indian Penal Code.

And

In Re: *Bubai Das*

... .. Petitioner

Mr. Somnath Ganguly

... .. for the petitioner

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

... .. for the State

Petitioner is in custody for 45 days. No Fake Indian Currency Note (FICN) was recovered from his possession. Investigation is complete. He prays for bail.

Learned advocate for the State submits that co accused used the vehicle of the petitioner to traffik FICNs.

We have considered the materials on record. No FICN was recovered from the petitioner. Whether petitioner had requisite knowledge with regard to transportation of FICNs requires to be decided during trial. Investigation is complete.

Under such circumstances, we are inclined to grant bail to the petitioner.

Therefore, the petitioner 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 Chief Judicial Magistrate, Howrah, 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.

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.)