

01.02.2023
Sl. No.45
akd
[ALLOWED]

C. R. M. (DB) 372 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.01.2023 in connection with Kolaghat Police Station Case No.258 of 2022 dated 19.05.2022 under Sections 420/406/409/467/468/477A/34/120B/413 of the Indian Penal Code. (G.R. Case No.1478 of 2022)

And

In Re: ***Rajat Maity***

... .. Petitioner

Mr. Ranadeb Sengupta
Mr. Sachit Talukdar

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Manoranjan Mahata

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 69 days. It is further submitted petitioner is not the principal accused. He was implicated in a similar case registered at Tamruk Police Station. This Court had enlarged him on bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner is one of the conspirators in the crime. He in collusion with co-accused viz. Amit Sahoo misappropriated money at various service points of the bank.

We have considered the materials on record. Petitioner had failed to supervise the activities of Amit Sahoo who was entrusted with money at different service points of the bank. Under similar circumstances, petitioner has been enlarged on bail in another case. His custodial detention for progress of investigation is not necessary. There is no possibility of abscondence or committing similar offence in future. Under such circumstances, we are inclined to extend the privilege of bail to the petitioner.

Therefore, the accused/petitioner, namely **Rajat Maity**, 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, Purba Medinipur at Tamluk 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.)