

15.02.2023
Sl. No.74
akd
[ALLOWED]

C. R. M. (DB) 623 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.02.2023 in connection with Khanakul Police Station Case No.270 of 2022 dated 11.06.2022 under Sections 420/409/34 of the Indian Penal Code.

And

In Re: ***Rabindranath Chakraborty***

... .. Petitioner

Mr. Suman Chakraborty
Mr. Aniruddha Singha Roy

... .. for the petitioner

Mr. Binay Panda
Ms. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 114 days. It is further submitted petitioner is not the principal accused. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail and submits petitioner has criminal antecedents.

We have considered the materials on record. Allegation relates to non-payment of dues to the de-facto complainant company. Investigation is complete. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Rabindranath Chakraborty***, 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, Arambagh, 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.

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.)