

04.04.2023
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allowed

CRM(DB) No. 1345 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haripal Police Station Case No. 338 of 2022 dated 08.11.2022 under Sections 420/406/466/467/468/341/323/504 of the Indian Penal Code.

And

In Re : Debasis Paul @ Debashis Pal petitioner

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Antarikhya Basu

Ms. Madhumita Basak

....for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

.... for the State

Learned Counsel for the petitioner submits he is in custody for 155 days. It is also submitted prosecution witnesses have not implicated the petitioner in the alleged offence. Investigation is complete. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is a conspirator who had induced the defacto complainant to part with his certificates. Thereafter in collusion with co-accused the certificates were misused and the defacto complainant was fraudulently shown as a pharmacist in M/s Ma Trisha Medica Hall.

We have considered the materials on record. Investigation is complete and the alleged forged documents are in possession of the investigating agency. Petitioner had cooperated with investigation and there is no chance of his abscondence. In view

of the aforesaid facts, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court-cum-Additional Sessions Judge, 1st Court, Hooghly, Chinsurah, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)