

20.04.2023
Sl. No.37
akd
[ALLOWED]

C. R. M. (DB) 1586 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.04.2023 in connection with Kaliachak Police Station Case No.1466 of 2022 dated 24.12.2022 under Sections 489(B)/489(C)/120B/34 of the Indian Penal Code. (G.R. Case No.7900 of 2022)

And

In Re: ***Shrvan Kumar @ Sharvan Kumar***

... .. Petitioner

Mr. Kallol Mondal
Mr. Musharraf Alam Sk.
Mr. Krishan Ray
Mr. Souvik Das
Ms. Susmita Ghorai

... .. for the petitioner

Ms. Anasuya Sinha
Ms. Subashree Patel

... .. for the State

It is submitted on behalf of the petitioner that no fake Indian currency notes (FICNs) were recovered from his possession. He has been falsely implicated. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits there were frequent telephonic exchanges between the petitioner and co-accused from whom a large volume of FICNs. were recovered.

We have considered the materials on record. FICNs. were recovered from co-accused. No fake Indian currency notes were recovered from the petitioner. Complicity of the petitioner is founded on telephonic exchanges between him and co-accused. Contents of the conversation are unknown. In view of the slender nature of materials, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.

Therefore, the accused/petitioner, namely **Shrvan Kumar @ Sharvan Kumar**, 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, Malda 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 and on further condition that the petitioner, while on bail, shall remain within the district of Malda and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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.)