

06.06.2023
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allowed

CRM(DB) No. 1723 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Cyber Crime Police Station Case No. 42 of 2022 dated 27.07.2022 under Sections 120B/406/416/420/413 of the Indian Penal Code.

And

In Re : Roma Samanta petitioner

Mr. Debasis Kar

....for the petitioner

Mr. Rudradipta Nandy, learned APP

Ms. Sonali Roy

.... for the State

Learned Counsel for the petitioner submits he is in custody for 84 days. A part of the misappropriated sum has already been recovered. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is a member of a gang who fraudulently cheated individuals on the promise of setting-up 5G Towers. However, a part of the misappropriated sum has already been recovered. Further detention for progress of investigation is not necessary. Accordingly, petitioner may be released on bail.

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 Chief Judicial Magistrate, Purba Medinipur at Tamluk, subject to further condition that petitioner shall remain within the jurisdiction of Lake Town Police Station

except for the purposes of investigation and /or attending court proceeding. 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 her 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.)