

07-07-2023  
Item no.09  
bail allowed

IN THE HIGH COURT AT CALCUTTA  
Criminal Miscellaneous Jurisdiction  
Appellate Side

CRM (SB) 127 of 2023

Bijoy Chandra Pandit  
-vs-  
The State of West Bengal

**In Re:** An application for bail under Section 439 of the code of Criminal Procedure, 1973 filed on 27<sup>th</sup> June, 2023 in connection with Chandannagar Police Station Case No. 83 of 2023 dated 11.05.2023 under Section 379 IPC (G. R. Case No. 814/23)

Mr. Bitasok Banerjee

...for the petitioner.

Mr. Binay Panda

Mr. Subham Bhakat

... for the State.

Report submitted by the SI of police, Chandannagar PS, CPC through the learned advocate for the State be kept with the record.

The subject matter of the case related to theft of underground cables which were kept at the location for its proper use. In course of investigation of the case, two coils out of the three coils in respect of which theft were committed had been recovered. Two coils were recovered from the go down of the present petitioner and another coil was separately recovered. The petitioner is in custody for about 28 days as submitted by Mr. Banerjee, learned appearing on his behalf.

On an analysis of whole of the issues involved, I find that search and seizure in respect of the case has been concluded. Considering the same, I am of the view that further detention of the present petitioner is unwarranted. Accordingly, the prayer for bail of the present petitioner is allowed on the following conditions.

1. The petitioner shall be released on bail by furnishing a bond of

Rs.10,000/-(Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Chandannagar.

2. The local surety in this case would be in respect of the title deed of a property which would be deposited with the learned Additional Chief Judicial Magistrate, Chandannagar and the property can either be within the jurisdiction of territory covered by the learned A.C.J.M, Chandannagar or the jurisdiction of the police station where the petitioner resides in Bihar being Sahakund.

3. The learned A.C.J.M, Chandannagar would be at liberty to verify the authenticity of such title deed of the property.

4. The petitioner shall not leave the jurisdiction of A.C.J.M, Chandannagar till the investigation is over until and unless exigencies arise, in such case ld. A.C.J.M, Chandannagar will give permission to the petitioner to leave the jurisdiction.

5. The petitioner shall meet with the Investigating Agency as and when called for.

With the aforesaid observations, the present application for bail being CRM(SB) No.127 of 2023 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

