

01.08.2023
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allowed

CRM(DB) No. 3035 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. 153 of 2022 dated 06.07.2022 under Sections 420/406/409 of the Indian Penal Code.

And

In Re : Diptendu Das petitioner

Mr. Susnigdho Bhattacharyya

Ms. Supriya Saha

Ms. Bidisha Chakraborty

....for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

..... for the State

Learned Counsel for the petitioner submits he is in custody for 102 days. It is also submitted that investigation is complete. He prays for bail.

Learned Counsel for the State opposes the prayer for bail. He argues petitioner had misappropriated money from members of the public.

We have considered the materials on record. Allegations are grave involving misappropriation of money from members of the public. Bail prayer of the petitioner was rejected in the course of investigation. Investigation is complete and further detention for progress of investigation is not necessary. Petitioner has permanent home and hearth and there is no possibility of abscondence. Under such circumstances, 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 Additional District Judge, 2nd Court at Chinsurah, Hooghly, subject to condition 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 any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)