

08.08.2023
Sl. No.63
akd
[ALLOWED]

C. R. M. (DB) 3120 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.07.2023 in connection with Bhimpur Police Station Case No.80 of 2023 dated 16.03.2023 under Sections 489B/489C of the Indian Penal Code.

And

In Re: **Giasuddin Baddi**

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 52 days. It is further submitted no fake Indian currency notes (FICNs.) were recovered from his possession. Investigation is complete. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits petitioner was involved in dealing with fake Indian currency notes.

We have considered the materials on record. No fake Indian currency notes was recovered from the petitioner. His complicity has transpired from the statement of co-accused before a police officer which is inadmissible in evidence. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Giasuddin Baddi**, 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, Nadia at Krishnanagar 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.

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.)