

14.08.2023.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3194 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hili P.S. Case No.256 of 2022 dated 07.11.2022 under Sections 409/120B/34 of the Indian Penal Code.

In the matter of : Chandradeb Singha @ Chandan.
.... Petitioner.

Mr. Sandipan Ganguly, Id. Sr. Adv.,
Ms. Manaswita Mukherjee.
...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Manoranjan Mahata.
...for the State.

1. Petitioner is in custody for 112 days. He submits he is a temporary worker in the Hili Customs Preventive Unit. He did not have control or custody over the almirah where the seized gold was kept. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner did not have control or custody over the almirah where the seized gold was kept.
4. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as investigation is over, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., Chandradeb Singha @ Chandan 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 & Sessions Judge, 1st Court, Dakshin

Dinajpur at Balurghat subject to condition that he 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.

6. 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 in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)