

30.08.2023
tkm/ct 28
sl no. 40

C.R.M. (DB) 3396 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhagwangola P.S case no. 93 of 2020 dated 19.2.2020 under sections 406/409/381/120B IPC charge sheet submitted under sections 406/409/381/420/468/471/120B IPC
and

Allowed

In Re : Pritom Ghosh @ Pritam Ghosh & Anr. ... petitioners

Mr. S Adhikary
Mr. S Das Mahapatra

..... for the petitioners

Mr. N Ahmed
Ms. Amita Gaur

..... for the State

Mr. Asraf Mandal

..... for the de facto complainant

1. Petitioners are in custody for 29 days. Investigation is complete. It is submitted most of the co-accused have been granted pre-arrest bail. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioners are the window clerks of the bank concerned. Whether they played any role in the misappropriation of the pledged gold requires to be assessed during trial. Co-accused are on anticipatory bail/regular bail. Investigation is complete.
4. Under such circumstances we are of the opinion further detention of the petitioners is not necessary and they may be granted bail.
5. Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/-each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Judge, Special Court under NDPS Act-cum-ADJ 2nd

Court, Berhampore, Murshidabad on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel thier bail automatically without reference to this court.

7. The application being CRM (DB) 3395 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)