

14.09.2023
Sl. No.27
akd
[ALLOWED]

C. R. M. (DB) 3571 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.09.2023 in connection with Santipur Police Station Case No.694 of 2022 dated 13.07.2022 under Sections 409/417/420/34 of the Indian Penal Code. (G.R. Case No.2927 of 2022)

And

In Re: ***Koushik Bachar & Anr.***

... .. Petitioners

Ms. Minoti Gomes

... .. for the petitioners

Mr. Parthapratim Das

Ms. Eshita Datta

... .. for the State

1. Petitioner no.1 is in custody for about 109 days and petitioner no.2 is in custody for about 102 days.
2. It is submitted on behalf of the petitioners that they are employed by the subsidiary of IndusInd Bank. The dispute relates to settlement of accounts between the said subsidiary and the bank. Petitioners have been falsely implicated. Accordingly, they pray for bail.
3. Learned Advocate for the State opposes the prayer for bail and submits the subsidiary had been appointed by the bank to disburse funds to self-help groups. Petitioners are the employees of the subsidiary and had misappropriated funds.
4. We have considered the materials on record. Petitioners submit dispute relates to settlement of accounts between the subsidiary and the principal i.e. the bank. Investigation is complete. There is no chance of abscondence of the petitioners. Under such circumstances and in view of period of detention suffered by them, we are of the opinion further detention of the petitioners is not necessary.

5. Therefore, the petitioners, namely **(1) Koushik Bachar & (2) Bakul Bag**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)