

CRM (DB) 3650 of 2023

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Tamluk P.S. Case No. 379 of 2022 dated 12.05.2022 under sections 420/406/409/467/468/471/472/473/474/475/477A/120B/413 of the Indian Penal Code.

And

In the matter of : Amit Sahoo

Mr. Amal Krishna Samanta

... ... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

... ... for the State

1. Petitioner is in custody for 385 days. It is contended misappropriated money has since been recovered. He prays for bail.
2. Learned lawyer for the State submits the entire misappropriated money has not been recovered.
3. We have considered the materials on record. Substantial portion of the misappropriated money has been recovered. Co-accused are on bail. There is little possibility of concluding trial in the near future.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, 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 Chief Judicial Magistrate, Tamluk, Purba Medinipur subject to the condition that the 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.

6. In the event the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.
8. The application for bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)