

21.09.2023
Sl. No.14
akd
[ALLOWED]

C. R. M. (DB) 3671 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.09.2023 in connection with Kolaghat Police Station Case No.258 of 2022 dated 19.05.2022 under Sections 420/406/409/467/468/477A/34/120B/413 of the Indian Penal Code. (G.R. Case No.1478 of 2022)

And

In Re: **Amit Sahoo**

... .. Petitioner

Mr. Amal Krishna Samanta

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Manoranjan Mahata

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than a year. It is further submitted there is no possibility of trial commencing in the near future. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner was the collection agent on behalf of UCO bank. He collected funds from customers and instead of depositing it to the bank misappropriated them. Charge has been framed.
3. We have considered the materials on record. Allegations involve misappropriation of funds. Offences, even if proved, would not attract mandatory life imprisonment. Petitioner is in custody for more than a year and trial has not commenced as yet. No witnesses have been examined till date. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Amit Sahoo**, 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, Purba Medinipur at Tamluk 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)