

11.10.2023.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3933 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haripal P.S. Case No.54 of 2023 dated 07.02.2023 under Sections 420/406/409 of the Indian Penal Code.

In the matter of : **Jayanta Banerjee.**

.... Petitioner.

Mr. Subhadeep Chatterjee,
Mr. Rohan Chatterjee,
Ms. Arpita Kundu.

...for the Petitioner.

Mr. Saibal Bapuli, Id.A.P.P.,
Mr. Bibaswan Bhattacharya

...for the State.

1. Petitioner submits he is not the principal accused. Investigation is complete. He is in custody for 123 days. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner aided and abetted the manager of the bank to misappropriate funds which had been purportedly advanced to customers.
3. We have considered the materials on record. Petitioner is the field officer of a Finance Company. He is alleged to have given false reports to aid the principal accused to procure loans which were misappropriated. Investigation is complete. There is no chance of his abscondence.
4. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner viz **Jayanta Banerjee** 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 Chief Judicial Magistrate, Chinsurah, Hooghly 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.)