

18.12.2023
Sl. No.84
akd
[ALLOWED]

C. R. M. (DB) 4214 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.10.2023 in connection with Chinsurah Police Station Case No.438 of 2021 dated 15.10.2021 under Sections 465/467/468/471/474/475 of the Indian Penal Code. (G.R. Case No.2325 of 2021)

And

In Re: ***Subhankar Mondal @ Lorence @ Mandal***
... .. Petitioner

Mr. Partha Chakraborty
... .. for the petitioner

Mr. Swapan Banerjee
Mrs. Purnima Ghosh
... .. for the State

1. It is submitted on behalf of the petitioner that he has a valid passport.
2. Report is placed on record. From the report it appears that the addresses in the Aadhaar cards of the petitioner are incorrect. Report does not show that the passport granted to the petitioner has been cancelled.
3. Under such circumstances, so long as the passport is not cancelled, petitioner has to be treated as an Indian citizen and he may be enlarged on bail.
4. Therefore, the accused/petitioner, namely ***Subhankar Mondal @ Lorence @ Mandal***, 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, Hooghly at Chinsurah 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 and on further condition that the petitioner, while on bail, shall meet the Officer-in-charge, Chinsurah Police Station once in a week until further orders.

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.
7. We however, clarify if the passport of the petitioner is cancelled, it shall be open to the prosecution to seek cancellation of bail in accordance with law.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)