

19.12.2023.  
102.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 4496 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola P.S. Case No.12 of 2023 dated 06.01.2023 under Sections 409/420/379/34 of the Indian Penal Code.

In the matter of : **Rajib Das.**

.... Petitioner.

Mr. S. Das Mahapatra,  
Mr. Ali Ahasan Alamgir,  
Ms. Soma Mal,  
Ms. Rabia Khahtoon,  
Ms. June Modak.

...for the Petitioner.

Mr. Binay Kr. Pandey,  
Ms. Sima Biswas.

...for the State.

1. Petitioner is in custody for about 345 days. He submits co-accused are on bail. Investigation is complete. He prays for bail.
2. Learned Advocate for State opposes the bail prayer. He contends petitioner had cheated the victims and caused wrongful loss over Rs.1 crore.
3. We have considered the materials on record. Investigation is complete. Co-accused are on bail. There is no chance of abscondence.
4. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Rajib Das** 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, Berhampore, Murshidabad 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.)**