

D/L. 70
February 7, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 75 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2023 in connection with Dinhata Police Station Case No. 411 of 2022 dated 25.08.2022 under Section 406/420 of the Indian Penal Code, 1860 with added Section 413 of the IPC, chargesheeted under Section 406/420/413/468/471 of the Indian Penal Code, 1860

And

In the matter of: Arup Manna

.... Petitioner

Mr. Arjun Chowdhury,
Ms. Pratusa Dutta Chowdhury

... for the petitioner

Mr. Kallol Acharjee,
Mr. kallol Nag

... for the State

Learned counsel for the petitioner submits that the petitioner is the Director of a Company selling electronics gadgets with educational software. It is submitted that the charge-sheet has already been submitted on December 15, 2022 and the petitioner is in custody for six months now. The name of the petitioner's company and/or the petitioner do not find place in the FIR.

It is further submitted that a connected case, in respect of which the seizure was made, has itself been quashed by a learned Single Judge of this Court.

Learned counsel for the State opposes the prayer for bail.

However, keeping in view the fact that the petitioner's company and/or the petitioner were not named in the FIR, we are of the opinion that the bail should be granted to the petitioner.

Accordingly, CRM (DB) 75 of 2023 is allowed, hereby granting bail to the petitioner on condition that the petitioner furnishes bond of Rs.5,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata.

The petitioner shall attend the trial court on each and every date during the entire period of trial.

The petitioner shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)