

24.01.2024.
33.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 193 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali P.S. Case No.1267 of 2023 dated 24.12.2023 under Sections 420/34 and adding Sections 419/467/468/471/120B of the Indian Penal Code.

In the matter of : **Sandip Kuti & Anr.**

.... Petitioners.

Mr. Pawan Kr. Gupta,
Ms. Sofia Neasarm
Mr. Santanu Sett.

...for the Petitioners.

Mr. Debasish Roy, Id. P.P.,
Mr. Navanil De.

...for the State.

1. Petitioners are in custody for 31 days. Petitioner No.1 was apprehended in the course of TET Examination of 2023 with a mobile phone. Petitioner no.2 aided petitioner No.1 in adopting unfair means. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Though conduct of the petitioners cannot be appreciated, there is substantial progress in investigation. Further, detention of the petitioners for progress of investigation is not necessary.
4. Hence, we are inclined to grant bail to the petitioners.
5. Accordingly, the petitioners viz., **Sandip Kuti and Debasish Mridha @ Debashis Mridha** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at

Krishnanagar subject to condition that they 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)