

04.03.2024
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allowed

CRM(DB) No. 616 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 538 of 2023 dated 10.09.2023 under Sections 489B/489C/34 of the Indian Penal Code.

And

In Re : Rajesh Mondal @ Mandal & Anr. petitioners

Mr. Arnab Saha

Mr. Abhimanyu Bannerjee

....for the petitioners

Mr. Saibal Bapuli, learned APP

Ms. Ayantika Roy

.... for the State

1. Learned Counsel for the petitioners submits they are in custody for 95 days. No Fake Indian Currency Note (in short FICN) was recovered from the petitioners. Investigation is complete. They pray for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits they have criminal antecedents.

3. We have considered the materials on record. No FICN was recovered from the petitioners. Investigation is complete. Under such circumstances, further detention is not necessary and we are inclined to grant bail to the petitioners.

4. Accordingly, we direct that the petitioners 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, Malda,

subject to conditions that petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)