

19.02.2024
Sl. No.59
akd
[ALLOWED]

C. R. M. (DB) 491 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2024 in connection with English Bazar Police Station Case No.1846 of 2023 dated 06.11.2023 under Sections 489B/489C/120B of the Indian Penal Code. (G.R. Case No.7621 of 2023)

And

In Re: ***Rajesh Mondal @ Mandal & Anr.***

... .. Petitioners

Mr. Arnab Saha
Mr. Abhimanyu Banerjee

... .. for the petitioners

Mr. S. S. Imam
Mrs. Manasi Roy

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 92 days. It is further submitted no fake Indian currency notes (FICNs) was recovered from their possession. Investigation is complete. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. We find no fake Indian currency notes (FICNs) was recovered from the possession of the petitioners. In spite of being remanded to police custody, no incriminating material implicating them in the crime has come to light. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely ***(1) Rajesh Mondal @ Mandal & (2) Biplab Mondal @ Mandal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 condition that the said petitioners 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.

5. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)