

15.03.2024
Sl. No.39
akd
[ALLOWED]

C. R. M. (DB) 832 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.03.2024 in connection with Baishnabnagar Police Station Case No.540 of 2023 dated 10.08.2023 under Sections 489B/489C/34/120B of the Indian Penal Code. (G.R. Case No.5404 of 2023)

And

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

... .. Petitioners

Mr. Abhimanyu Banerjee
Mr. Arnab Saha

... .. for the petitioners

Mr. Dipankar Paramanick

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 100 days. No fake Indian currency notes (FICNs) were recovered from them. Investigation is complete. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits 195 pieces of fake Indian currency notes (FICNs) were recovered from a co-accused.
3. We have considered the materials on record. No fake Indian currency notes (FICNs) were recovered from the petitioners. Their complicity has transpired from the statement of co-accused before a police officer which is inadmissible in evidence. 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)