

25.04.2024
Sl. No.22
akd
[ALLOWED]

C. R. M. (DB) 1303 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.04.2024 in connection with Bankura Cyber Crime Police Station Case No.28 of 2022 dated 15.11.2022 under Sections 419/420/413/467/120B of the Indian Penal Code. (G.R. Case No.1581 of 2022)

And

In Re: **Tanmoy Saha**

... .. Petitioner

Mr. Jaydeep Biswas
Mr. Kaushik Ghosh

... .. for the petitioner

Mr. Saryati Datta
Ms. Mamata Jana

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 419 days. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits stolen cash was transferred to the account of the petitioner.
3. We have considered the materials on record. Petitioner is in custody for about 419 days. There is inordinate delay in trial. On the score of delay, co-accused have been enlarged on bail. Offences, even if proved, do not attract mandatory life imprisonment. The issue with regard to trail of stolen cash to the petitioner may be agitated in course of trial. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely **Tanmoy Saha**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial

Magistrate, Bankura subject to condition that the said petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)