

12.06.2024
Item no. 14.
Court No.28.
AB
(Allowed)

CRM (DB) 1671 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Debra Police Station Case No.496 of 2023 Dated 12.10.2023 under Sections 417/420/406/408/409/468/120B of the Indian Penal Code

And

In the matter of : Amar Manna

.....Petitioner.

Mr. L. Vishal Kumar,
Mr. S. Chatterjee,
Mr. Prasun Mukherjee,
Mr. Mainak Gupta,
Mr. Santanu Talukdar,
Ms. Pramita Banerjee

.....for the Petitioner.

Mr. Madhusudan Sur, ld. APP,
Mr. Sachit Talukdar

.....for the State.

The petitioner says that he is in custody for 67 days. He has been framed. He has not committed any offence. He is a two wheeler dealer. Allegation has been made that he has been instrumental in fraudulently inducing Patna Samabay Krishi Unnayan Samity Limited in advancing loans to fictitious persons. Police custody was never asked for. He is willing to cooperate with the Investigating Authority fully. He should be released on bail.

Mr. Sur, learned Additional Public Prosecutor appearing for the State strongly opposes the prayer for bail. He produces the case diary and draws our attention to the relevant material therein.

On an overall consideration of the material on record and the possible complicity of the petitioner in the alleged offence, we are of the view that it may not be necessary to detain the petitioner in custody any further so long as he cooperates with the Investigating Authority.

Accordingly, we direct that the petitioner, namely Amar Manna shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, 1st Court, Paschim Medinipur, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Investigating Officer once in a week till the completion of investigation.

The petitioner 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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

