

28-05-2024
s.d & b.r
Item no.15
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M(DB) No. 1712 of 2024

Gopal Jana and 2 Ors.
-vs-
The State of West Bengal

In Re: An application for bail under Section 439 CrPC in connection with Khanakul P.S. Case No.153 of 2024 dated 04-04-2024 under sections 420/406/477A/120B of the Indian Penal Code and adding sections of 467/468 IPC(G. R. Case No 584 of 2024).

Mr. Swpan Kumar Mallick
Mr. Abhinava Mukherjee
...for the petitioners.

Mr. Rana Mukherjee, ld. APP
Mrs. Sujata Das
... for the State.

Learned advocate appearing for the petitioners submits as follows. The petitioners had received some money under the “Laxmi Bhandar Scheme” due to a mistake committed by the concerned Data Entry Operator. The petitioners have kept the money in their account and are ready to return the same. The petitioners are in custody for about forty-eight days.

Learned advocate appearing for the State submits as follows. The Data Entry Operator concerned had admitted in his statement before the Police that he had entered wrong data in order to give such benefits to others who were not entitled to the same. However, no document is forthcoming that the petitioners had made an application for such benefits.

First, it is debatable whether a case of forgery is made out so far as the petitioners are concerned. For invoking such provision the

document in question has to lie about itself.

Secondly, during investigation relevant documents like bank statements have already been seized. No further purpose will be served by keeping the present petitioners in custody.

In view of the above, we are inclined to allow the prayer for bail of the present petitioners.

Accordingly, the present petitioners shall 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 Additional Chief Judicial Magistrate, Arambag, Hooghly.

Further, the petitioners shall meet the Investigating Officer once a week until further order.

The application for bail, being CRM(DB)1712 of 2024, is disposed of.

Urgent certified copy of this order, if applied for, be given to the parties after compliance of necessary formalities.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this court.

[Uday Kumar, J,]

[Jay Sengupta, J.]

