

22
05-07-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 1894 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure 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.

- A n d -

In the matter of : Ashim Mandal @ Ashim Sarkar @ Bhadu
.... Petitioner.

Mr. Kalidas Saha,
Ms. Mandira Mandal,
Mr. K. Mollick,

... For the petitioner.

Mr. Koushik Kundu,
Mr. Atanu Ghosh,

... For the State.

The charge is of possessing and trafficking in fake Indian currency notes.

The petitioner says that there was no recovery from him. He has been falsely implicated only on the basis of statements made by the co-accused person from whom recovery was made. He is in custody for 52 days. Charge sheet has been submitted upon completion of investigation. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He says that according to the principal accused, the present petitioner is the supplier of fake currency notes.

We have noted that nothing was seized from this petitioner. Further, investigation is complete. We also see that he surrendered. Hence, there is little chance of this petitioner absconding.

In view of the aforesaid, we do not find any further necessity of the petitioner being detained in custody.

Accordingly, we direct that the petitioner, namely, **Ashim Mandal @ Ashim Sarkar @ Bhadu**, 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 Chief Judicial Magistrate, Malda and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. 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 in any manner whatsoever.

In the event the petitioner fail 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.

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

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)