

02.08.2024

Court No.29

Item No.11

Allowed

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CRM (A) 2208 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to G.R Case No. 87 of 2024 in connection with Tala Police Station Case No. 5 of 2024 dated 13.01.2024 under Sections 420/406/120B of the Indian Penal Code.

And

In Re: Jharna Mondal @ Jharna Mand

Petitioner

Mr. Avirup Chatterjee

Mr. Rishov Das

Mr. Prasenjit Pal

For the Petitioner

Mr. Ranabir Roy Chowdhury

Mr. Aslam Parveej

For the State

Mr. Shounka Mondal

For the De-facto Complainant

1. Learned counsel for the petitioner submits that the petitioner is innocent and the petitioner had borrowed 3.80 lakhs, as alleged by the de-facto complainant. On the contrary, some of Rs.20,000/- has been borrowed and out of which substantial portion has been repaid.
2. Learned counsel for the State has submitted that pursuant to our earlier direction, the petitioner appeared and cooperated with the investigation and all necessary documents have been collected.
3. Learned counsel for the de-facto complainant submits that there is a racket in which the petitioner is involved for extorting money and duping innocent people.
4. Considering the materials available in the case diary, the nature of complaint and the fact that the petitioner has complied with the notice

under Section 41A Cr.P.C and the petitioner cooperated with the investigation and I.O has collected all the documents, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Jharna Mondal @ Jharna Mand** be released on bail upon furnishing a bond of Rs.20,000/-, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation till the submission of the final report and the petitioner shall not leave the jurisdiction of Tala police station without the leave of I.O, except for attending the Court and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Sealdah, within two weeks from date in connection with G.R Case No. 87 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)

