

24.09.2024
Item no. 41.
Court No.28.
AB
(Rejected)

CRM (DB) 2520 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar Police Station Case No.540 of 2023 Dated 10.08.2023 under Sections 489B/489C/120B/34 of the Indian Penal Code

And

In the matter of : Ajit Mandal

.....Petitioner.

Mr. Arup Kr. Bhowmickfor the Petitioner.

Mr. Binay Kr. Panda
Ms. Dhanasree Biswasfor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the petitioner is in custody for one year one month. The petitioner merely possessed the alleged fake currency which is bailable offence. However, considering his period of detention and as there is no chance of early conclusion of the trial, he may be granted bail on any condition.
2. Learned Advocate for the State opposes the prayer for bail. According to him, there is sufficient incriminating material against the petitioner which shows that the petitioner wanted to use the said fake currency and that is why he was possessing so much of fake currency. If

the petitioner is enlarged on bail, the prosecution may suffer.

3. The allegation against the petitioner is serious and as there are sufficient incriminating materials in the CD against him and further, the allegation against the present petitioner shows that he has allegedly committed an offence which may injure the financial structure of this country, we are not inclined to allow the petitioner's prayer for bail, at this stage.
4. The prayer for bail stands rejected.
5. CRM (DB) 2520 of 2024 stands dismissed.
6. It is reported that the concerned Court, where the present case is pending, is lying vacant for quite some time.
7. The learned District and Sessions Judge, Malda is requested to withdraw the said case from the Court of Additional Sessions Judge, Fast Track 1st Court, Malda and to transfer the same to the Court where Presiding Officer is available to try the above case in accordance with law.
8. Registry is directed to communicate this order to the learned District and Sessions Judge, Malda for necessary compliance.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)