

188.
05-09-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 2709 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Baishnabnagar Police Station Case No.741 of 2023 dated 23-10-2023 under Sections 489B/489C/120B/34 of the Indian Penal Code.

- A n d -

In the matter of : Dipak Mandal @ Deepak Mandal

.... Petitioner.

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

... For the Petitioner.

Ms. Amita Gaur,
Mr. Subham Bhakat

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner says that there was no recovery of Fake Indian Currency Notes (FICN) from him. He has been implicated on the basis of statement of co-accused. He further cites an order dated March 19, 2024 passed by a coordinate Bench in CRM (DB) 854 of 2024, whereby a co-accused by the name of Asim Sarkar was enlarged on bail. He says that he stands on the same footing as Asim Sarkar.

Learned advocate for the State, while opposing the prayer for bail, says that this petitioner has two similar antecedents. However, she does not dispute that insofar as the present case is concerned, the petitioner is similarly circumstanced as Asim Sarkar referred to above.

Since the petitioner stands on the same footing as Asim Sarkar, we allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, namely, **Dipak Mandal @ Deepak Mandal**, shall be released on bail

upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Malda. The petitioner shall appear before the learned 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. The petitioner shall remain within the jurisdiction of local police station and report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in every week, until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 2709 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)