

27.09.2024

Item No.2

Ct.No.34

b.das

Allowed

C.R.M. (SB) 134 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS, 2023 filed in connection with Mohanpur Police Station Case No.79 of 2024 dated 24.05.2024 under Section 380 of Indian Penal Code.

And

In Re : **Rajendra Sahaji Dhole**

... Petitioner.

Mr. Sujoy Sarkar

Mr. Prosenjit Biswas

Ms. Sneha Srivastava

... for the Petitioner.

Mr. Binoy Kumar Panda

Mr. Debanshu Ghorai

... For the State.

On prayer of the petitioner liberty is granted to correct the cause title of the application.

Heard learned counsels for the parties.

Perused the Case Diary.

Learned counsel for the petitioner submits that the petitioner is a goldsmith and is not named in the FIR. He is in custody for forty days. Charge sheet has been submitted. He has been falsely implicated. He has valid trade licence for his business.

Learned counsel for the State produces the Case Diary and opposes the prayer for bail.

Learned counsel submits that the petitioner purchased stolen gold for the purpose of his business.

I have considered the submission made by the parties and material on record.

It appears that the petitioner is in custody for about forth days. He appears to be a goldsmith by profession. He is not named in the FIR. Whether the gold seized from him has any nexus with the present complaint shall be determined by the learned Trial Court at the appropriate stage of the proceeding.

Charge sheet has been submitted. Further detention of the petitioner is not required for custodial interrogation.

Accordingly, prayer for bail is allowed.

The petitioner, **Rajendra Sahaji Dhole** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas subject to condition that the petitioner shall appear before the learned Trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned Trial Court on any date without any justifiable cause, the learned 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 (SB) 134 of 2024, is disposed of.

Case Diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)