

05.01.2024
Serial no. 24
[G.S.D]

CRM (SB) 234 of 2023

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Jangipara P.S. Case No. 361 of 2023 dated 29.10.2023 under sections 420/406 of the IPC.**

-And-

In the matter of : Tapas Patra

... .. Petitioner

MS. S. Bhattacharyya

... .. For the Petitioner

Mr. Imran Ali ... for the State
Mr. Anindya Sundar Chatterjee

Ld. Advocate for the petitioner submits that the petitioner is in custody since 9th of November, 2023. Additionally, it has been contended that the petitioner was acquainted with the principal accused, who transferred the money to him and he has no nexus with the offence complained of by the defacto-complainant namely, Shreya Laha.

A prayer has been advanced for releasing the petitioner on bail on any stringent condition.

Ld. advocate for the State has produced the case diary.

Having considered that the petitioner has been implicated in a case under section 420/406 of the IPC and the complicity of the petitioner is because of money being

sent to him by one Sunny Roy/Paltu Khatua, I am of the view that although there is money trail but so far as the primary allegations in the FIR are concerned, the offence relating to cheating relate to a separate person and the petitioner has been arrested or taken into custody because of his association and transaction with the said accused.

Taking into account the period of detention of the present petitioner, I am of the view that further detention of the petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Tapas Patra shall 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 Ld ACJM, Serampore, Hooghly.

If on bail, the petitioner shall meet with the investigating officer once in every 10 days till the investigation of the case is concluded.

Accordingly, CRM(SB) 234 of 2023 is allowed.

Pending application(s), if any, is also disposed of.

Case Diary be returned to the Id. Advocate for the State.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)