

02.05.2024
Court No.01
Item No. 104

Allowed

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**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (DB) 130 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Alipurduar Police Station Case No. 317 of 2023 dated 24.09.2023 under Sections 467/468/471/477A/409/420 IPC read with section 13(1)(a) of the Prevention of Corruption (Amendment) Act.

And

In Re: **Dipankar Sarkar**

Petitioner

Mr. Subham Ghosh
Mr. Mayank Roy

For the Petitioner

Mr. Kallol Acharjee
Mr. Kallol Nag

For the State

1. We have heard the learned Counsel for the parties. It is submitted on behalf of the petitioner that considering the fact that the investigation has already been completed and also considering the fact that the present accused petitioner is languishing in jail since 24th September, 2023, the instant application for bail may be considered favourably.
2. While opposing the prayer for bail, the learned Counsel for the State draws our attention to the memo of evidence as filed by the Inspector of Police, DDI, Alipurduar and CID, West Bengal.
3. On perusal of the entire materials as placed before us, it reveals that the entire allegation is document based and it further reveals from the memo of evidence that in course of investigation, all incriminating documents have

been seized. In absence of any case on behalf of the State that there is a possibility of absconsion of the present accused petitioner if on bail, we find no reason to keep the present accused petitioner in further detention.

4. Accordingly, the petitioner viz., **Dipankar Sarkar** shall 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, to the satisfaction of the learned Trial Court with a further condition that the present accused petitioner shall not leave the territorial jurisdiction of the learned Trial Court till the conclusion of the trial unless such condition has been relaxed by the learned Trial Court without making any reference to this Court. It is further ordered that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing subject to the provision of Section 317 Cr.P.C. The petitioner shall not induce witnesses or influence them or tamper with the evidence.
5. The application for bail of the petitioner is allowed. CRM (DB) 130 of 2024 is, accordingly, disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)