

21.08.2024.

Item No. 7

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (DB) No. 388 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 22.07.2024 in connection with Dinhata Police Station Case No. 317 of 2024 dated 03.06.2024 under Sections 489B/489C/120B/34 of the Indian Penal Code.

And

In the matter of: **Majidul Miah & Anr.** ...Petitioners.

Mr. Sudip Guha. ...For the petitioners

Mr. Nilay Chakraborty, ld. APP,
Ms. Namrata Das.For the State

1. Counsel for the petitioners submits on instructions that he does not wish to press the application for bail for the petitioner no.1, namely, Majidul Miah.
2. In so far as the petitioner no.2, namely, Ajimul Haque @ Choto is concerned, it is submitted that the recovery of the fake currency notes was made from the residence of Majidul Miah.
3. However, it appears to this Court from the seizure list that the seizure was made in terms of Section 27 of the Code of Criminal Procedure at the place identified, inter alia, by the petitioner no.2, one of the five accused persons.
4. The possibility of the petitioners actively participating in concealment of the fake currency notes in the house of Majidul Miah, therefore, cannot be ruled out.

5. Having regard to the facts and circumstances of the case and considering the materials in the case diary, this Court is not inclined to grant bail to the petitioner no.2.
6. C.R.M. (DB) No. 388 of 2024 is, thus, dismissed.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)