

19.08.2024.

Item No. 5
Court No.3
ap

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

C.R.M. (SB) No. 7 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.08.2024 in connection with Alipurduar Police Station Case No. 240 of 2024 dated 31.05.2024 under Sections 406/420/34 of the Indian Penal Code.

And

In the matter of: **Subrata Dey @ Rana.** ...Petitioner.

Mr. Pritam Roy,
Mr. S. Bhattacharya,
Mr. Rajdeep Das,
Ms. Triparna Roy. ...For the petitioner

Mr. Nilay Chakraborty, ld. APP,
Mr. Kallol Nag.For the State

1. It has been submitted by the learned Counsel appearing on behalf of the petitioner that he is not the principal accused and that he has no previous antecedent. He is in custody for 26 days and that he voluntarily surrendered before the Court when his bail prayer was rejected. He further submits that he duly complied with the notice issued under Section 41A of the Code of Criminal Procedure and that from the complaint, it is clear that out of the alleged amount, Rs.8,00,000/- have already been returned and accordingly, he has prayed for bail.

2. Learned Counsel for the State raised objection contending that huge amount of defalcation is involved in

the present context and if he is released on bail, there is every likelihood that he will influence the prosecution witness since he has a moneyed person.

3. I have considered the submissions made by both the parties. Perused the case diary.

4. Considering the fact that the investigation in respect of the present petitioner has already advanced to a considerable extent and that the petitioner was voluntarily surrendered before the Court, I am inclined to release the petitioner on bail.

5. Let the petitioner be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipurduar.

6. C.R.M. (SB) No. 7 of 2024 is, thus, disposed of.

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

(Ajoy Kumar Mukherjee, J.)