

08.11.2024
Item no. 86.
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (DB) 562 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kharibari Police Station Case No.75 of 2024 Dated 22.03.2024 under Sections 420/468/471 of the Indian Penal Code read with Section 14A of the Foreigners Act

And

In the matter of : Goutam Mandal @ Sarder

.....Petitioner.

Mr. Subham Ghosh,
Mr. Mayank Roy for the Petitioner.

Mr. Saikat Chatterjee
Mr. Chattu Roy for the State.

Dictated by Biswaroop Chowdhury, J.

1. Learned Advocates for the petitioner and the State of West Bengal are present.
2. Heard learned Advocates for the parties.
3. Learned Advocate for the petitioner submits that his client has been falsely implicated in the instant case and the allegation made against the petitioner is not maintainable in the eye of law.
4. Learned Advocate further draws our attention to the documents which were seized from the petitioner,

namely, Aadhaar Card, Ration Card, PAN Card and the Birth Certificate.

5. Upon perusal of the report, which is part of the charge sheet, it appears that these documents are genuine. Upon hearing the learned Advocates for the parties and considering the reports submitted and the fact that the investigation is complete and the petitioner is in custody for 238 days, as there is no reasonable apprehension to abscond or tamper with evidence, in the interest of justice, the petitioner is granted an opportunity to remain on bail.
6. Accordingly, we direct that the petitioner, namely **Goutam Mandal @ Sarder** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri, and on further conditions that he shall not leave the jurisdiction of the Kharibari Police Station and shall report to the Officer in Charge of the concerned Police Station once in a fortnight until further orders.
7. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

8. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
9. The application for bail is, accordingly, allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)