

11.04.2025

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jb.

jdt.

Allowed

C.R.M. (M) 48 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Nandakumar Police Station Case No. 19 of 2025 dated 07.01.2025 under Sections 406/409/420 of the Indian Penal Code.

And

In Re : **Samir Mistri**

... Petitioner.

Mr. Arindam Jana

Mr. Yuvraj Chatterjee

... For the Petitioner.

Zareen Nasima Khan

Sharequl Haque

... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody for about 95 days. Charge-sheet has been submitted. He will co-operate in trial of the case. His further detention is not required.

Learned counsel for the State opposes the prayer.

Allegation against the petitioner is that he being the postal assistant of Nabakumar Post Office misappropriated public money amounting to Rs. 26,600/-. The petitioner has been suspended from service with effect from 14th May, 2024. Charge-sheet has been submitted. The petitioner has deposited Rs.58,000/- and Rs.25,000/- before his office in terms of verbal direction of his authority.

Considering the material available on record, this Court is of the view that depositing the amount of Rs. 58,000/- and 26,000/- does not exonerate the petitioner from the charges

leveled against him. Charge-sheet has been submitted and relevant documents seized by the investigating agency.

In view of the above, further detention of the petitioner is not necessary.

Accordingly, the prayer for bail is allowed.

The petitioner namely Samir Mistri 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 learned Chief Judicial Magistrate, Purba Medinipur subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with the evidence or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case diary be returned.

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

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

(Suvra Ghosh, J.)