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10.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1263 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Eco Park P.S. Case No. 107 of 2022 dated 12.05.2022 under Sections 420/406/34 of the Indian Penal Code.

And

In Re : **Ambadi Soman @ Soman Ambadi** ... Petitioner.

Mr. Moyukh Mukherjee

Mr. Abhijit Singh

Mr. Kaustav Lal

Mr K. Bhattacharya ... for the Petitioner.

Ms. Amita Gour

Mr. Anand Keshari

Ms. Poulami Bose ...for the State.

Heard learned counsels for the parties.

The petitioner is in custody for about 47 days and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. A complaint under Section 138 of the Negotiable Instruments Act was lodged against the petitioner by the de facto complainant alleging dishonour of a cheque amounting to Rs.16 lakhs drawn by the petitioner in favour of the de facto complainant. The present application pertains to the same transaction.

The petitioner was granted anticipatory bail in this case on a purported undertaking by him to return the amount of Rs.16 lakhs. Since such amount was not returned by him, his anticipatory bail was cancelled on 9th December, 2024. He is in custody for 47 days. Charge sheet has been submitted.

Material available in the case diary does not justify further detention of the petitioner and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Ambadi Soman @ Soman Ambadi** 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, Barasat subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without 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 thus 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.)