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C.R.M. (DB) 2369 of 2024

In Re: An application for cancellation of bail under Section 439 (2) of the Code of Criminal Procedure, 1973/Section 483 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023;

Shree Ram Lakshmi Medical Consultancy Pvt. Ltd.
Versus
The State of West Bengal & Anr.

Mr. Mrityunjoy Chatterjee
Mrs. Suchismita Chakraborty
Mr. Debarnab Adhikary.
...for the petitioner.

Mr. Arindam Sen
Ms. Diksha Ghosh.
...for the State.

The subject matter of the case relates to a prayer for interference with the order dated 22.04.2024 wherein bail was granted to the accused/opposite party no.2 in connection with Survey Park Police Station Case No.62 of 2024.

I have taken into account the order of granting bail and the conditions imposed by the learned ACJM, Alipore. The basic allegations of the present petitioner related to a sum of Rs.16.50,000/- lakhs being paid to the accused for depositing TDS amount and it has been alleged that the accused handed over a TDS receipt which was later found to be false and fabricated. It is also reflected from the order that the case diary revealed that the investigating officer collected some documents during investigation from which it transpired that several banking transactions took place between the informant and the accused/opposite party no.2

and from the banking documents of the accused, it also transpired the accused paid money to the complainant. The court took into account the conduct of the accused so voluntarily surrendering before the court and imposed five conditions while granting bail.

Having considered that the case is based on documents and the learned Magistrate completely applied his mind while granting bail, I do not find any perversity in the order dated 22.04.2024 granting bail to the accused/opposite party no.2. Consequently, I am of the view that no interference is called for. As such, the application being CRM(DB)2369 of 2024 is hereby dismissed.

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

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

(Tirthankar Ghosh, J.)