

22.12.2022
tkm/ct 28
sl no. 39

C.R.M. (DB) 4526 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bankura P.S case no. 248 of 2021 dated 5.10.2021 under sections 120B/406/408/409/419/420/465/466/467/468/471/477A IPC and under sections 66C/66D/73/74 of the Information Technology Act, charge sheet submitted sections 406/419/420/120B/34 IPC
And

Allowed

In Re : Sandip Dutta @ Sandip Datta petitioner

Mr. Arnab Chatterjee

..... for the petitioner

Mr. M Sur

Mr. D Paramanick

..... for the State

Petitioner is in custody for 440 days. It is submitted co-accused Pritam Bhakat (accountant attached to the office of the Chief Judicial Magistrate) is on bail. He prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits petitioner in collusion with co-accused had misappropriated money from the treasury.

We have considered materials on record. Petitioner is not a public servant. Co-accused Pritam Bhakat is on bail.

Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Bankura, on condition that the petitioner shall appear before the trial court on every date of hearing and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 4526 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)