

Special Case No.07/2022

Order No.03, dt. 28.09.2022 :-

Accused Rajib Dhar is produced before the court from J/C.

The bail application filed on behalf of the accused on 27.09.2022 is taken up for hearing in presence of both sides.

For the accused Ld defence counsel moves the bail application praying for bail contending inter alia that accused having surrendered before the court voluntarily and in the meantime almost 50 days having been elapsed and the investigation is in its culminating stage, on any condition the accused may be enlarged on bail.

Ld P.P on the other hand vehemently opposed in granting bail to the accused contending inter alia that accused being a public servant dishonestly misappropriate and or siphoned a huge quantity of money causing serious detrimental and loss to the public at large who on keeping full faith and confidence as well as trust upon the Postal Department deposited their hard earned money to the Government Organization/Postal Department and by the act of the accused who was working as Sub-Post Master of the concerned branch, have sustained loss to a great extent.

It is added by Ld P.P that investigation is still going on and further evidences are yet to come and if the accused is enlarged on bail in the midst of investigation there is every possibility of tampering with the evidences and lastly Ld P.P strongly opposed in granting bail to the accused.

Heard both sides at length.

Perused the entire case record including the complaint. Also perused the materials in the case diary where from sufficient materials are forthcoming so far as the offence of criminal breach of trust is concerned and it further appears that the Postal Department has already lodged an FIR and started enquiry and prima facie an embezzlement of Government Fund has been detected and considering all the aspects and the nature of crime alleged to have been committed by the accused prayer for bail of the accused stands rejected.

Accused is remanded to J/C till 12.10.2022.

C.D be returned with a direction to I.O to appear personally before the court to appraise the court as regards the progress of investigation.

To 12.10.22/26.10/22/09/09.11.22 for production, appearance of I.O and I.O's report.

Let a copy of this order be sent to the I.O for his information and necessary compliance.

Dictated & Corrected,

Sd/-S.S.Das
Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar

Sd/-S.S.Das
Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar
JO Code No. WB 00634