

Order No. 02, dated 05.11.2022

Today is fixed for hearing of this Cr. Misc. case which has been initiated on behalf of the accused/petitioner, namely, Rabindra Nath Ghorai under Section 439 of the Cr. P.C as his prayer for bail has been rejected by the Ld. A.C.J.M, Contai in connection with G.R case No. 2035 of 2022 arising out of Khejuri P.S case No. 337 of 2022, dated 20.09.2022.

Sri Asit Baran Maity, Ld. Advocate has filed an affidavit stating that no application for bail of these accused/petitioner has either been filed or moved or rejected before the Hon'ble Court.

Ld. Lawyer appearing for the accused/petitioner submitted that the accused is not named in the F.I.R. The complaint was lodged on 20.09.2022 over the allegation that on 13.09.2022 at around 9.15 A.M an unknown person came to the house of the complainant and told her that they were allotted home under 'Abas Yojana' and he asked to pay Rs. 12,000/- along with necessary papers. When the informant came to collect money from almirah, said person followed her and took away cash of Rs. 30,000/- from almirah. It is submitted that F.I.R was lodged after 07 days of the incident and there is no explanation for delay. It is submitted that investigation proceeded a lot, there is no chance of absconding and tampering with the evidences and prays for bail.

Ld. Additional P.P opposes prayer for bail and produces case diary and submitted that the accused was identified in T.I parade by the informant and charge-sheet has been submitted in this case.

On perusal of case record and case diary it appears that charge-sheet has been submitted in this case under Section 392/394/411 of IPC. The accused is in custody since 22.09.2022, further detention of the accused is not necessary. Prayer for bail is considered and allowed.

Accused Rabindra Nath Ghorai may be released on bail on furnishing bail bond of Rs. 10,000/- with one registered surety of like amount, subject to the satisfaction of the Ld. A.C.J.M, Contai.

The Cr. Misc. case is thus disposed of on contest.

Let a copy of this order along with L.C.R be sent to the Court of Ld. A.C.J.M, Contai, Purba Medinipur for information and necessary action.

C.D. be returned.

Note it.

D/C by me.

Sd/-

A.S.J.

Sd/- S. Dey (WB00679)
Additional Sessions Judge,
1st Court, Contai.

