

Special Case No. 15-2025

Present : Mr. Sanjeev Kumar Sharma
ADJ, 2nd Court, Berhampore,
- Cum -
Judge, Special Court,
Berhampore, Murshidabad.
[JO Code : WB 00706]
(In-Charge)

Order No. 03, dated 16.06.2025.

The record is put up today for hearing the bail petitions filed on behalf of accused Monesh Mondal and Kanai Halder on 12.06.2025.

Ld. Special P.P. and Ld. Advocate for the accused persons, both are present.

Ld. Advocate for the accused persons submits that the accused persons are in custody since 18.05.2025. He further submits that charge sheet has been submitted and there is no *iota* of evidence that the accused persons collected money from the customers of the bank and misappropriated the same. He further submits that the manager of the bank in order to save himself, has lodged the FIR against the accused persons. He prays for releasing the accused persons on bail.

Ld. Advocate for the accused persons further submits that the accused persons are not public servants and as such the accusations against the accused persons cannot lie before the Ld. Special Court.

Ld. Special P.P. opposes the prayer for bail of the accused persons and submits that the charge sheet has been submitted against these two accused persons.

Perused the case record and CD.

The gist of the allegation is that the accused persons, being the employees of the bank, collected money from the different customers of the bank but they did not deposit the said amount properly and misappropriated the same, converting the same to their own use. Section 409 of the I.P.C. applies in case of Bankers and their Agents. Therefore, the decision cited by the Ld. Advocate cannot be of any help in this case. The materials appearing in the CD shows that the accused persons are involved in commission of the offence. Charge sheet has already been submitted.

Having considered the facts and circumstances of the case and the materials appearing in the record and CD, the bail prayers of the accused persons are rejected.

To date (i.e. 30.06.2025) for supply of copies and production of the accused persons.
Return CD.

Dictated & corrected by me,

Judge.
(J.O. Code WB 00706)
(In-Charge)

Addl. Dist. & Sess. Judge, 2nd Court,
- Cum -
Judge, Special Court,
Berhampore, Murshidabad.
(J.O. Code WB 00706)
(In-Charge)