

C. Case No:-545 of 2015

Order dated: 28-09-2018.

The complainant has been duly represented. The accused person namely Nitesh Jaiswal has surrendered today before this court in furtherance to the warrant of arrest issued by this court. He is taken into custody and remanded to J/C. Re-call W/A.

Heard ld lawyer for the accused person. The ld lawyer for the complainant raised cavil against such prayer.

It is evident from the case record that the accused person has been indicted for committing offence punishable U/S.138 of the N.I. Act and bailable W/A was issued against the accused person. I have traversed the entire gamut of this case and the materials expositied in the case record and after such exercise I find that confinement of the accused person in judicial custody is not an indispensable necessity for the unhindered trial of the case. There is no material to conclude that the accused person has propensity to win over the witnesses or tamper with the evidence if released on bail. Hence based on the above delineations the prayer for bail stands allowed. It is also apposite to add that detention at this stage is not punitive. The accused person may find bail on furnishing bond of Rs. 500/- with one surety of like amount i/d to J/C. If on bail; the accused person is directed to appear on the next date.

To **20-02-2019** for E.R.

Dictated by me,

A.C.J.M.

Additional Chief Judicial Magistrate,
Bidhannagar