

13.05.2022

Sl. No.05.

Mithun

Ct.No.42.

IA No: CRAN/3/2022

In

CRM 8691 of 2017

(Via Video Conference)

In re: An application for relaxation/modification/waiver of condition of bail in connection with Entally Police Station Case No.281 of 2017 dated 09.08.2017 under Sections 419/353/447 of the Indian Penal Code read with Section 12 of the Prevention of Corruption Act.

In the matter of : **Neville Dadi Master @ Neville Master.**

...petitioner.

Mr. Sandipan Ganguly, Sr. Adv.

Mr. L.Vishal Kumar, Adv.

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.

Mr. Rudradipta Nandy, Adv.

...for the State.

The petitioner was initially granted interim bail in CRM 8691 of 2017 vide order dated 31st August, 2017. Subsequently, the order of bail was confirmed vide order dated 20th September, 2017 imposing two conditions, viz. :-

- 1) that he shall meet the Investigating Officer once in a fortnight until further orders. He shall furnish his place of residence as well as other particulars including mobile phone number/e.mail i.d. to the Investigating Agency; and
- 2) the petitioner shall not leave the Country without the permission of the Trial Court.

By the subsequent orders, the condition of meeting the Investigating Officer was relaxed.

Now the petitioner has come up with the instant application praying for relaxation of the condition regarding leaving the Country.

It is submitted by Mr. Ganguly, learned Advocate for the petitioner that the petitioner is a Manager of Times India, a Broadcasting Company. He requires to travel abroad but on all occasions as per condition of bail he has to file an application before the Trial Court. The hearing of the application is delayed for one reason or other and on many occasions, the permission is obtained after expiry of his scheduled date of travel. Under such circumstances, it is submitted by Mr. Ganguly that the said condition may be waived imposing some other conditions for securing attendance of the accused during trial of the case.

The learned Public Prosecutor-in-Charge submits that the said condition may be relaxed with suitable other conditions. It is also submitted by the learned Public Prosecutor-in-Charge that the petitioner is a permanent resident of Gujarat and some stringent condition should be imposed so that he may not flee away. Having heard the learned Counsels, this Court is inclined to modify the above conditions under the following terms and conditions:-

- (1) the petitioner is permitted to leave the Country without permission of the Trial Court. In such event, the petitioner shall submit his itinerary containing

date of departure, date of return, flight numbers and the place of boarding for departure and return;

- (2) he shall also file a copy of his Passport and Visa for such travelling;
- (3) he shall submit personal interim bond of Rs.50,000/- in the Court below. Such interim bond shall lose its effect on his departure. He shall inform the Trial Court about the date of his actual return.
- (4) He shall be physically present in the Trial Court on all dates of trial.

Considering the above conditions, the learned Trial Court is directed to prepare a schedule for examination of the witnesses and inform the same to the prosecution and defence so that attendance of the accused may be procured.

With the above conditions, the previous condition imposed in the order dated 14th August, 2018 is relaxed.

The instant application, is, thus, **disposed of.**

(Bibek Chaudhuri, J.)