

13.01.2021

Sl. No. 09

Srimanta

D/L

Ct. No. 30

**IA No.:CRAN/1/2019 (Old No.:CRAN/639/2019),
CRAN/2/2020 (Old No.:CRAN/4542/2020),
CRAN/3/2020 (Old No.:CRAN/4546/2020),
CRAN/4/2021**

**in
CRA/57/2019**

(Via Video Conference)

In the matter of: Amardwip Gupta @ Bhola & Ors.

Mr. Manjit Singh, Adv.,
Mr. Gaganjyoti Singh, Adv.,
Mr. Biswajit Mal, Adv.

...for the petitioners.

Mr. Ranabir Roychowdhury, Adv.,
Mr. Mainak Gupta, Adv.

...for the State.

In Re: CRAN 4546 of 2020

The instant application for bail pending appeal has been filed for accused, Amardwip Gupta @ Bhola and Anup Shaw.

I have heard Mr. Singh, Learned Advocate for the petitioners. Mr. Singh refers to the order passed by this Court on 24th November, 2020 where another convict/appellant/petitioner was enlarged on bail. It is submitted on behalf of the present petitioners that they stand in the same footing. The said fact is not denied by Mr. Ranabir Roychowdhury, Learned Advocate for the State. However, it is submitted by him that the present petitioners were identified in T. I. Parade is a corroborative evidence and not substantial one and the said fact will be taken into consideration along with the evidence of the witnesses at the time of final hearing of the appeal.

The petitioners being on the same footing with one of the appellants who is already on bail, they are also entitled to be enlarged on bail.

Accordingly, execution of sentence passed against the present petitioners be stayed till the disposal of the appeal and the petitioners be enlarged on bail on their furnishing bond of Rs.10,000/- each with two sureties of like amount to the satisfaction of the Learned Chief Judicial Magistrate, Alipore with further condition that if on bail they must visit the Officer-in-Charge of the jurisdictional Police Station and on their first day of visit they shall file an affidavit before the Officer-in-Charge stating their residential address where they would reside during the pendency of the appeal. The appellants/petitioners shall also appear before the Learned Appellate Court, if necessary, during the pendency of the appeal in connection with the hearing.

Failure to comply with any of the above directions will entail the Learned Chief Judicial Magistrate, Alipore to cancel the order of the bail without further reference to this Court.

In Re: CRAN 4 of 2021

It is submitted by Mr. Singh that he file another application being CRAN 4 of 2021 praying for bail for accused Jugal @Yugal Kishore Sharma. However, the said accused has died.

Mr. Singh is requested to file a copy of death certificate of the above-named accused within a fortnight for verification of the same through the Officer-in-Charge of the jurisdictional Police Station.

List the matter on **28th January, 2021.**

(Bibek chaudhuri, J.)