

Sr. 15  
**07-12-2021**  
Subha.  
Court no. 34

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
CRIMINAL REVISIONAL JURISDICTION  
APPELLATE SIDE**

**CRM 2958 of 2019**

In the matter of : Director of Revenue Intelligence , Kolkata Zonal Unit  
& Anr.

In Re : An application for cancellation of bail under Section  
439(2) read with Section 482 of the Criminal Procedure.

Mr. Kaushik Dey

....for the petitioners.

Mr. Sabyasachi Banerjee

Mr. Apalak Basu

Mr. Anirban Dutta

Ms. A. Jain

..for the opposite party.

The subject matter of the present application relates to an order passed on 27<sup>th</sup> February, 2019 by the Jurisdictional Magistrate, thereby, granting bail to the accused opposite party.

A progress report has been submitted by Mr. Dey, learned advocate appearing for the D. R. I authorities. Let the report submitted by the Directorate of Revenue Intelligence, Kolkata Zonal Unit through the learned advocate for the D. R. I Authorities be kept with record.

On perusal of the report, it reflects that there are allegations of evasion of duty so far as the present accused/opposite party is concerned. However, the progress report reflects in paragraph 5 that communications are being made between the Indian Authorities and their foreign counterpart and last of such meeting was held on 13<sup>th</sup> January, 2021. The nature of the documents which requires scrutiny are subject to confirmation by the Bangladesh Authorities.

Having regard to the same, this court is of the view that an individual has hardly any role to tamper such evidence. There are no allegations of post bail conduct so far as the present accused is concerned.

The petitioners are enjoying the liberty for almost two years 10 months. I find that the learned advocate appearing for the D. R. I authorities have repeatedly wanted to harp before this court regarding the magnitude of the evasion of duty.

Presently, the petitioners have got no opportunity to interfere with the subject matter being dealt with by the authorities referred to above.

Having regard to the same, I am not inclined to interfere with the order of interim bail which was confirmed on 19<sup>th</sup> July, 2019.

However, the accused opposite party will inform the Investigating Officer of the case, in case, he intends to visit abroad for any purpose.

Further, the accused opposite party will cooperate with the investigation and will attend the Investigation Officer as and when called for.

With the aforesaid observations, CRM 2958 of 2019 is disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

**( Tirthankar Ghosh, J. )**