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25-11-2024
(ct. no.29)
debajyoti

CRM (DB) 1638 of 2022
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IA NO:CRAN/1/2024

In re: An application for relaxation of conditions of bail.

- A n d -

In the matter of : Vikas Mishra @ Vikash Mishra
.... Applicant/Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.,
Ms. Manaswita Mukherjee,
Mr. Chitrak Biswas
... For the Applicant/Petitioner.

Mr. Kallol Mondal,
Mr. Amajit De, Special P.P.
... For CBI.

Dictated by Arijit Banerjee, J.

Re : CRAN/1/2024

1. Written response filed on behalf of Central Bureau of Investigation (CBI) to the petition for relaxation of conditions of bail be kept with the records.

2. When the petitioner was granted bail on September 30, 2022, *inter alia*, the following conditions were imposed:-

“(a) He shall remain within the municipal limits of Kolkata except for the purposes of investigation, attending court proceedings and medical treatment;

(b) He shall report to the investigating agency once in a week until further orders.”

3. The petitioner says that he has been scrupulously adhering to the conditions of bail. However, he should be permitted to go out of the municipal limits of Kolkata for business purpose. Further, the condition requiring him to

report to the investigating agency once every week should be waived. He is prepared to cooperate with the investigating agency fully and shall promptly respond to any notice that he receives from the investigating agency for the purpose of further interrogation. He says that the waiver prayed for ought to be granted, since the investigation is still continuing and it is anybody's guess as to for how long it will continue.

4. Learned advocate for CBI says that the petitioner has been complying with all the conditions of bail excepting that he has not deposited his Passport. In response, learned Senior Advocate for the petitioner says that the conditions of bail specify that if he does not have a Passport, then he shall submit an affidavit before the learned trial Court. Such affidavit has been submitted. Only then the petitioner was released on bail.

5. We have considered the facts and circumstances of the case. Even investigation is not complete. Charge sheet is yet to be submitted. Nobody knows when the trial will begin or conclude. Given that there is no adverse report against the petitioner, we are inclined to allow his prayer for relaxation of conditions of bail.

6. Accordingly, the petitioner will be entitled to leave the municipal limits of Kolkata but shall always remain within the geographical limits of the State of West Bengal. He shall also not enter the district of Paschim Bardhaman except for the purpose of attending the court proceedings or for the purpose of investigation. Further, he need not report to the investigating agency every week as he was earlier required to do. Instead of once every week, it will be sufficient for the petitioner to report to the investigating agency once every month, until further orders. The other conditions of bail shall remain unaltered.

7. The application being CRAN 1 of 2024 is disposed of.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Subhendu Samanta, J.)

(Arijit Banerjee, J.)