

15.06.2022
tkm/ct 28
sl no. 79

C.R.M. (DB) 1731 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bishnupur PS case no. 123/2021 dated 20.8.2021 under sections 420/406/409/465/467/468/471/120B of the IPC read with section 8/9/13(1) of the Prevention of Corruption Act

And

In Re : Shyama Prasad Mukherjee petitioner

Mr. Sourav Chatterjee

Mr. A Bhattacharya

..... for the petitioner

Mr. Debashish Roy, Spl PP

Mr. R D Nandy, Id APP

Ms. Sonali Das

..... for the State

Petitioner is in custody for 297 days. It is submitted that investigation is complete. It is further submitted petitioner is 69 years of age and is suffering from various ailments.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Statements of witnesses and documents prima facie show petitioner as the chairman of a municipality had dishonestly floated tenders in violation of existing rules and in abuse of his official position allotted work to his associates. Thereby, he made wrongful gain of about Rs. 10 crores.

In view of gravity of the offence involving abuse of public office for wrongful gain, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

We direct appropriate medical attention be extended to the petitioner as and when necessary.

Needless to mention medical documents relating to the treatment of the petitioner be available to his relations.

Trial court is requested to consider the issue of framing of charge at the earliest.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)