

26.07. 2022
item No.21
n.b.
ct. no. 34

CRM(SB) 175 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chakdah Police Station Case No.370/2022 dated 04.6.2022 under Sections 486/420 of the Indian Penal Code read with Sections 63/65 of the Copy Right Act, 1957.

And

In Re: **Bijoy Shaw @ Bijoy Kumar Shaw.**

.....petitioner.

Mr. Shibaji Kumar Das,

Ms. Rupsa Sreemani

.....for the Petitioner

Mr. Arijit Ganguly,

Mr. Avik Ghjatak,

.....for the State

The petitioner was arrested on June 4, 2022 and since then he is in custody.

According to the learned advocate appearing for the petitioner it is palpable from the facts of the case that the petitioner has been victimized for business rivalry and the search and seizure which is required for the purposes of this case has already been completed.

Mr. Ganguly, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the seizure list as well as statement of the witnesses.

I have perused the Case Diary and I find that since 2nd July 2022 there are no steps which have been taken by the

Investigating Agency and the petitioner is in custody for about 51 days.

Having regard to the time of detention and the fact that there has been no progress in the investigation for more than 20 days, I am of the opinion that further detention of the petitioner is unwarranted. As such, the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand only) each, with two sureties of like amount, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Kalyani. If on bail the petitioner shall meet with the Investigating Officer of the case once in a week until further orders. The present condition shall continue for a period of three months after which the petitioner would be at liberty to pray for modifications.

The application for bail is allowed.

Accordingly, CRM(SB) 175 of 2022 is, thus, disposed of.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)