

18.08.2022
(KC 95)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (DB) 2771 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

In the Matter of : Rubina Khatoon

.....petitioner.

Mr. Somraj Gangopadhyay

...for the petitioner.

Mr. Sudip Ghosh,
Mr. B. Banerjee

...for the State.

By an order dated 5th July, 2022, Soumita Manna @ Tumpa, another accused, was granted bail by this court after custody for seventy nine days.

It was submitted on her behalf that she was merely an employee of the organization S.B.F. Network Marketing and had no role to play in the ponzi scam in which the organization was involved.

The documents tend to reveal her role as an employee and not as an active participant in the commission or aiding the alleged offence. She was also not named in the first information report.

In the instance case the petitioner appears to be absolutely similarly situated. She was not named in the first information report. She is in custody since 18th April, 2022. The chargesheet has been filed.

Considering the facts and circumstances above, we are of the view that the petitioner should now be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned 3rd Additional District Judge, Alipur, subject to the following conditions:-

1. The petitioner shall deposit her passport with the investigating officer,
2. She shall report before the said officer as and when summoned,
3. The petitioner shall not leave the limits of city of Kolkata without informing the I.C.,
4. She shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever,
5. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

The application for bail [CRM (DB) 2771 of 2022] is, accordingly, disposed of.

(I.P. MUKERJI, J.)

(SUBHENDU SAMANTA, J.)

