

27.01.2022

Sl. No. 03.

Mithun

Ct.No.42.

CRM 8294 of 2021

(Via Video Conference)

In re: An application under Section 439 of the Code of Criminal Procedure, 1973 in connection with Bidhannagar Cyber Crime Police Station Case No.76/2020 dated 08.10.2020 under Sections 419/420/468/471/120B of the Indian Penal Code, 1860 and 20/21 of Indian Telegraph Act, 1885.

In the matter of : **Abhay Tiwari.**

...Petitioner.

Mr. Arindam Jana, Adv.

... for the petitioner.

Mr.Bivas Chatterjee, Adv.

...for the State.

As per order dated 21st December, 2021 passed by a Co-ordinate Bench, the learned Public Prosecutor has filed case status report in connection with this case wherefrom it is learnt that charge was framed against the accused persons on 18th January, 2022 and the next date is fixed for evidence on 1st February, 2022.

It is learnt from the submission made by Mr. Jana, learned Advocate for the petitioner that on the last occasion a co-accused namely Biswajit Bora was granted bail by the learned Sessions Judge, Barasat. Only the petitioner is in custody in connection with this case for about 400 days.

Mr. Bivas Chatterjee, learned Public Prosecutor with all fairness submits that the case of Abhay Tiwari stands on the same footing as that of Biswajit Bora.

Therefore, petitioner Abhay Tiwari too is entitled to be released on bail.

The petitioner Abhay Tiwari is enlarged on bail of Rs.20,000/- with two sureties of Rs.10,000/- each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Bidhannagar with further conditions that if on bail, the petitioner shall attempt the Court physically on each and every date of trial. If he fails to attempt the Court on the dates of trial physically, the instant order of bail shall be cancelled without further reference to this Bench.

(Bibek Chaudhuri, J.)