

20.12.2022.
25.
as
(Allowed)

C.R.M. (DB) 3381 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Titagarh P. S. Case No.877 of 2021 dated 09.12.2021 under Sections 409/420/465/120B of the Indian Penal Code read with Section 13(1)(a) of the Prevention of Corruption Act.

In the matter of : Prasanta Kumar Biswas.

.... Petitioner.

Mr. Sandipan Ganguly, Id. Sr. Adv.,
Mr. Arkadeb Bhattacharyya.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

Petitioner is in custody for 357 days. It is contended he is not the principal accused. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits charge has been framed and date has been fixed for recording prosecution evidence.

We have considered the materials on record. Petitioner is not the principal accused. He was a Bank Manager and had opened an account in the bank on the basis of documents submitted by co-accused. No material is placed before us to show that he was a beneficiary.

In view of the extent of complicity of the petitioner and the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Prasanta Kumar Biswas shall be released on bail upon furnishing a bond of

Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Barasat subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)