

14.10.2022

(AD 64)

(S. Banerjee/
AKG)

CRM (DB)/ 3601 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kenda Police Station Case No. 17 of 2022 dated 17.02.2022 under Section(s) 419/420/406/468/471/467/413/120B/34 of Indian Penal Code.

And

In the matter of: Sandip Biswas

...petitioner

Mr. Sandipan Ganguly, Sr. Advocate
Mr. Joydeep Biswas
Mr. Kaushik Ghosh

... for the petitioner

Mr. Subroto Roy

... for the State

The alleged offence took place in 2013 and, according to the prosecution, is still continuing.

It involves misappropriation of public money by the accused. According to the petitioner the organisation with which he is connected, was incorporated only in March, 2018. It has no connection with the alleged misappropriation of money complained of. This is regarding the merits of the matter.

The real situation is that investigation has been completed and charge-sheet has been filed. The petitioner is in custody for 156 days.

Learned counsel for the State submits that further investigation is being carried out and that on completion of the same, a supplementary charge-sheet is likely to be filed.

Considering the above submissions, we direct that whatever further investigation is to be carried out, must be completed by 31st October, 2022 after expiry of which the petitioner shall automatically be released on bail on the following terms and conditions:

The petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties each of like amount, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Purulia, subject to the following conditions:

- 1) That the petitioner shall appear before the trial court on every date of hearing until further orders
- 2) He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
- 3) The petitioner shall deposit his passport, if he has one, with the investigation officer.
- 4) He shall report before the said officer as and when summoned.
- 5) The petitioner shall not leave the limits of the North 24 Parganas district without properly and satisfactorily informing the Officer in Charge of the Technocity Police Station of his whereabouts.

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

Accordingly, the application for bail is disposed of.

(Supratim Bhattacharya, J.) (I. P. Mukerji, J.)