

09.11.2022.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3844 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ghatal P.S. Case No.116 of 2021 dated 08.04.2021 under Sections 467/471/473/419/420/406/409/120B/34 of the Indian Penal Code and adding Section 7/7A/8/9/10/11 of the Prevention of Corruption Act.

In the matter of : Sri Rajib Bakshi.

... Petitioner.

Mr. Asif Dewan.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mrs. Sonali Das.

...for the State.

Petitioner renews his prayer for bail. He submits he is in custody for more than 500 days. Trial has just commenced and the prosecution has proposed to examine over 100 witnesses. There is little possibility of the trial concluding in the near future.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner is the principal offender who had prepared fake e-mail account and had misappropriated over Rs.18 crores from a Nationalised Bank. Examination of prosecution witnesses have commenced and release of the petitioner at this stage would seriously affect the course of trial.

We have considered the materials on record. Petitioner is the principal offender. It is alleged he had prepared fake e-mail

i.d. to impersonate as a Cyber Crime Police Officer and in collusion with others misappropriated over Rs.18 crores. Bank officials are yet to be examined and it is contended release of the petitioner may have adverse impact on the said witnesses. In view of the gravity of the offence and as vulnerable witnesses are yet to be examined, we are of the opinion release of the petitioner on bail at present may not be in the interest of justice.

Accordingly, the prayer for bail of the petitioner is rejected.

We, however, direct the trial court to conclude the trial as expeditiously as possible and the examination of vulnerable witnesses be concluded within six months from the next date fixed for recording evidence without granting unnecessary adjournments to the either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)