

18.07.2023
Sl. No.50
akd
[ALLOWED]

C. R. M. (DB) 195 of 2023 [PONZI]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.01.2023 in connection with Ballygunge Police Station Case No.55 of 2022 dated 30.06.2022 under Sections 120B/406/420 of the Indian Penal Code read with Section 3 of the West Bengal Protection of Interest of the Depositors in Financial Establishment Act.

And

In Re: **Prabha Surana**

... .. Petitioner

Mr. Kalyan Bandyopadhyay .. Sr. Advocate
Mr. Ratnanko Banerjee .. Sr. Advocate
Mr. Ayan Bhattacharya
Mr. Abhijit Chowdhury
Mr. Aditya Ratan Tiwary

... .. for the petitioner

Ms. Samira Grewal

... .. for the de-facto complainant
Vikram Jairath, Harleen Jairath & Arjun Jairath

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Mr. Sudip Ghosh
Mr. Ranabir Roy Chowdhury
Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Bitasok Banerjee
Ms. Trina Mitra
Ms. Amita Gaur
Mrs. Sonali Das
Mr. Mainak Gupta
Ms. Ayantika Roy

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 223 days. Charge sheet has not been filed. Accordingly, she is entitled to statutory bail.

Upon query, learned Public Prosecutor admits that charge sheet has not been filed as yet.

In view of the fact that the petitioner is in custody for more than 90 days and charge sheet has not been filed as yet, we direct the petitioner to be released on statutory bail.

Therefore, the accused/petitioner, namely **Prabha Surana**, be released on statutory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District & Sessions Judge, 3rd Court, Alipore, South 24-Parganas subject to condition that the said petitioner 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. Before release, petitioner shall submit her passport, if not already done, before the court below.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)