

16.3.2023
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Item no.8.

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM (DB) 774 of 2023

Madhu Sudhan Adhikari
-Vs-
Central Bureau of Investigation

Mr. Jayanta Narayan Chatterjee
Mr. Y. Mondal
Ms. Nandidni Chatterjee
Mr. Supreem Naskar
Ms. Jayashree Patra
Ms. Sreeparna Ghosh
Ms. Pritha Sinha
Ms. Dipanwita Das
Mr. Bhaskar Mondal

...For the petitioner.

Mr. Arun Kumar Maity
Mr. Anirban Mitra
Ms. Oishani Mukherjee **.... For the CBI.**

The affidavit-in-opposition prepared and filed by the Central Bureau of Investigation without any direction from this Court is accepted and taken on record.

Learned Counsel for the petitioner does not choose to file any reply thereto, although the allegations contained therein are deemed not to be admitted.

The petitioner is allegedly involved in a ponzi scam.

He is in custody for seven years and four months.

Chargesheet has already been filed.

The principal accused was granted bail by this Court on 22nd December, 2022.

Another co-accused is enlarged on bail.

Mr. Maity, learned advocate for the Central Bureau of Investigation submits that the trial is being delayed and that throughout the period of trial the petitioner should be in custody.

He is already in custody for over seven years. No cogent material or reason has been advanced to show why his further custody is required.

In those circumstances, we allow this application for bail.

Considering the facts and circumstances above, we are of the view that the petitioner should now be enlarged 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 Judge, Special (CBI) Court No.1, Bichar Bhavan at Calcutta, subject to the following conditions:-

1. The petitioner is to deposit his passport, if he has one, with the investigating agency within three days from date.
2. He will meet the investigating officer as and when summoned.
3. He shall not leave the municipal limits of Kolkata without informing the investigating officer.
4. He shall not tamper with evidence or interfere with the witnesses in any manner.
5. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

(Biswaroop Chowdhury, J.)

(I.P. Mukerji, J.)