

18.04.2023
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allowed

CRM(DB) No. 1512 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur Police Station Case No. 346 dated 18.09.2021 under Sections 406/420/413/419 of the Indian Penal Code read with Sections 66/66C/66D/71 of the Information Technology Act.

And

In Re : Debmalya Bhattacharjee petitioner

Mr. Shovan Ghosh

Mrs. Chirantani Ghosh

....for the petitioner

Mr. Rudradipta Nandy, learned APP

Mrs. Sonali Das

.... for the State

Learned Counsel for the petitioner submits he is in custody for 435 days. He is mere employee of the company. There is little possibility of the trial concluding in near future. Co-accused Koushik Das (CRM (DB) 979 of 2023) has been enlarged on bail. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is the employee of the company. Most of the offences are triable by Magistrate. Keeping in mind co-accused Koushik Das is on bail we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Additional Chief Judicial Magistrate, Bolpur, Birbhum, subject to conditions that petitioner shall

appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)