

06.06.2023

(44)
(Allowed)
(SKB)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1544 of 2023 (PONZI)

Daniel Rajiv Mukherjee @ Daniel Rajeeb Mukherjee
@ Sk. Sharukuddin
Versus
The State of West Bengal

Mr. Sourat Nandy,
Mr. Raja Das

... for the petitioner

Mr. Ranabir Ray Chowdhury,
Mr. Mainak Gupta

... State.

It is contended that the petitioner is in custody for more than a year. He has been falsely implicated in the present case and other cases. He has been granted bail in the other cases by a co-ordinate Bench of this court. He prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits that the petitioner is a Director of a company which illegally indulged in inviting deposits from public without requisite permission.

We have considered the materials on record. The petitioner is the director of the company, which is alleged to have invited deposits from public without requisite permission. He is in custody for a year and investigation is complete. The total amount misappropriated in the present case and other cases is around Rs.2 cores. There is little possibility of trial concluding in the near future.

Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion that further detention of the petitioner is not necessary and he may be released on bail.

The petitioner shall be enlarged on bail upon furnishing a bond of Rs.10,000/- (ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District Judge, Alipore, on the following conditions:

1. The petitioner shall deposit his passport, if any possessed by him, with the investigating officer,
2. He shall report before the said officer as and when summoned,
3. The petitioner shall not leave the limits of district Hooghly except for attending court proceedings until further orders,
4. He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever,
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.

The application for bail [CRM (DB) 1544 of 2023] is, accordingly, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)