

01.05.2023.
33.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1698 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur P. S. Case No.346 of 2021 dated 18.09.2021 under Sections 406/420 of the Indian Penal Code and charge sheet submitted under Sections 406/420/413/419 of the Indian Penal Code read with Sections 66/66C/66D/71 of the Information Technology Act.

In the matter of : Abhijit Sarkar.

.... Petitioner.

Ms. Jeenia Rudra,
Ms. Megha Chanda.

...for the Petitioner.

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

...for the State.

Petitioner is in custody for more than one year. Co-accused are on bail. There is no possibility of trial concluding in the near future. He prays for bail.

Learned Additional Public Prosecutor opposes the bail prayer. He submits petitioner is a team leader and had played role in inducing innocent persons in investing in fraudulent scheme.

We have considered the materials on record. Bearing in mind the role of the petitioner in the crime, protracted period of detention suffered by him and as co-accused are on bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Abhijit Sarkar 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 condition that he 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 and on further condition that the petitioner while on bail shall not leave the district of North 24-Paraganas and report to the Officer-in-charge, Bidhannagar Police Station once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)