

03.05.2023
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allowed

CRM(DB) No. 1802 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kenda Police Station Case No. 17 of 2022 dated 17.02.2022 under Sections 420/406/34/413/419/467/468/471/120B of the Indian Penal Code.

And
In Re : Avishek Basu @ Abhishek Basu petitioner

Mr. Monojit Debnath
Ms. Roma Roy
....for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Subrato Roy
.... for the State

Learned Counsel for the petitioner submits he is in custody for 356 days. Co-accused has been enlarged on bail. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is the telecaller-cum office manager.

We have considered the materials on record. Co-accused, similarly circumstanced with the petitioner has been enlarged on bail. Most of the offences are triable by the Magistrate and there is little possibility of concluding trial in the near future. Under such circumstances 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 Chief Judicial Magistrate, Purulia, on further condition that while on bail petitioner shall remain within

the jurisdiction of Parnasree Police Station except for the purposes of investigation and /or attending court proceeding and shall meet the officer-in-charge of the concerned Police Station within whose jurisdiction he shall presently reside once in a week until further orders. 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.)