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allowed

CRM(DB) No. 1804 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hare Street Police Station Case No. 169 of 2020 dated 06.07.2020 under Sections 120B/420/467/468/471 of the Indian Penal Code.

And
In Re : Pritam Hati petitioner

Mr. Sandip Kumar Bhattacharya
Mr. Dipta Dipak Banerjee
....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 900 days. It is also contended there is little possibility of trial concluding in the near future. Co-accused have been enlarged on bail. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is the principal accused and had conspired with others. Incriminating materials were seized from his possession.

We have considered the materials on record. Allegations are grave. However, offences are triable by the Magistrate. Petitioner has suffered incarceration for more than two years. There is little possibility of trial concluding 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 Additional Chief Metropolitan Magistrate-1, Calcutta, subject to condition 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.)