

04.05.2023.
23.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1814 of 2023

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

In the matter of : Khokon Ghosh.

.... Petitioner.

Mr. Satadru Lahiri.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,

Mr. Dipankar Paramanik.

...for the State.

Petitioner is in custody for two years and nine months.
There is delay in trial. Co-accused have been released on bail.
He prays for bail.

Learned Advocate for the State opposes the bail prayer.
He submits petitioner played a principal role and had taken money from innocent persons who had been duped on the false promise of giving employment in this Court.

We have considered the materials on record. Though allegations are grave, offences are triable by Magistrate. Petitioner has suffered incarceration for more than two years and nine months. There is little possibility of trial concluding in the near future. Co-accused are on bail.

Hence, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Khokon Ghosh 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-I, Calcutta 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.

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.)