

15.05.2023
31
sdas
allowed

CRM(DB) No. 1897 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur Police Station Case No. 346 of 2021 dated 18.09.2021 under Sections 406/420 of the Indian Penal Code and subsequently 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.

And

In Re : Md. Afsar Ansari @ Md. Absar Ansari petitioner

Ms. Jeenia Rudra

Ms. Megha Chanda

....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 two years. Co-accused are on bail. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is the team leader and in conspiracy with others had duped individuals through cyber fraud.

We have considered the materials on record. Co-accused are on bail. There is little possibility of trial concluding in the near future. Keeping in mind the extent of complicity of the petitioner in the crime and as co-accused are on bail, we are inclined to grant bail to him.

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 Judicial Magistrate,

Bolpur, Birbhum, subject to conditions 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 and on further condition that the petitioner while on bail shall not leave the district of North 24-Parganas 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 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.)