

03.08.2023
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allowed

CRM(DB) No. 2675 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rishra Police Station Case No. 122 of 2022 dated 19.08.2022 under Sections 403/408/409 of the Indian Penal Code.

And
In Re : Vinay Sonkar petitioner

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Arnab Sinha
Mr. Dyutiman Banerjee
Mr. Amartya Basu
.....for the petitioner

Mr. Anand Keshari
..... for the State

Learned senior Counsel for the petitioner submits he is in custody for about a year. It is also submitted charge has been framed. There is no possibility of trial concluding in the near future. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits victim was the bank Manager and had misappropriated money over Rs.79 lakh.

We have considered the materials on record. Allegations are grave and involves misappropriation of public funds but the petitioner is in custody for about a year. There is little possibility of trial concluding in the near future. Petitioner has home and hearth and there is no chance of his abscondence. Offences, even if proved, would not attract mandatory life imprisonment. Accordingly, 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 Judicial Magistrate, Serampore, 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.

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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)