

12.07.2023
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allowed

CRM(DB) No. 2751 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 957 of 2021 dated 28.09.2021 under Sections 420/409 of the Indian Penal Code.

And

In Re : Jaspal Singh Bhatti petitioner

Mr. Ayan Bhattacharya

Mr. Sagar Saha

Mr. Subir Debnath

Ms. Roma Roy

Mr. Monojit Debnath

....for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

.... for the State

Learned Counsel for the petitioner submits he is in custody for more than one year. It is also submitted there is no progress in the matter since rejection of bail by this Court in June, 2022. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail and submits petitioner was the Deputy Circle Head of Punjab National Bank. He abused his official position and misappropriated public fund to the tune of over Rs.22 lakh.

We have considered the materials on record. Allegations involve corruption by a public servant. Nature of offence is grave but we note there is no progress in the matter since rejection of bail by this Court in June, 2022. Charge is yet to be framed. There is little possibility of trial concluding in near future. Under

such circumstances, we are inclined to release the petitioner on bail subject to strict conditions.

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, Krishnanagar, Nadia, on further condition that while on bail petitioner shall remain within the district of Nadia except for the purposes of investigation and /or attending court proceeding and shall provide address where he shall reside to the investigating agency and shall meet the officer-in-charge of Kotwali Police Station 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.)