

24.08.2023
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allowed

CRM(DB) No. 3313 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beniapukur Police Station Case No. 336 of 2022 dated 31.07.2022 under Sections 406/409/420/120B of the Indian Penal Code and Section 3(2) of the West Bengal Protection of Interest of Depositors in Financial Establishment Act.

And

In Re : Sunita Elizabeth Mukherjee @ Elizabeth Sunita
Mukherjee @ Nadra Aman @ Liza petitioner

Mr. Sourat Nandy

Mr. Raja Das

Mr. Akash Lal

....for the petitioner

Mr. Nguive Ahmed, learned APP

Ms. Trina Mitra

..... for the State

1. Learned Counsel for the petitioner submits she is in custody for more than a year. She has been enlarged on bail in a similar case in CRM(DB) 1026 of 2023. She prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits eight cases are pending against the petitioner.

3. We have considered the materials on record. Petitioner was the Director of a company which allegedly invited deposits from the public without requisite permission. There is little possibility of the trial commencing in the near future. Under such circumstances, we are inclined to grant bail to the petitioner.

4. 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 District Judge, Alipore, on the following conditions :

1. The petitioner shall deposit her passport, if any, possessed by her, with the investigating officer;
2. She shall report before the said officer as and when summoned;
3. The petitioner shall not leave the limits of district Hooghly except for court proceedings until further orders;
4. She shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this Bench.
6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)