

15.09.2023
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allowed

CRM(DB) No. 3601 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. 349 of 2022 dated 10.08.2022 under Sections 406/409/420 of the Indian Penal Code and under 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. Akash Lal

....for the petitioner

Mr. Neguive Ahamed, learned APP
Ms. Amrita Gaur

.... for the State

1. Learned Counsel for the petitioner submits she is in custody for more than a year. She submits she has been enlarged on bail in other cases. She prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner was one of the directors of the company which illegally invited deposits from the public. Present case involves misappropriation of Rs.12 lakhs.

3. We have considered the materials on record. Petitioner is on bail in other cases. Present case involves misappropriation of Rs.12 lakhs. She is in custody for more than a year in the present case. There is little possibility of trial concluding 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 :

- i) The petitioner shall deposit her passport, if any, possessed by her, with the investigating officer;
- ii) She shall report before the said officer as and when summoned;
- iii) The petitioner shall not leave the limits of district Hooghly except for court proceedings until further orders;
- iv) She shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
- v) 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.
- vi) The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)