

29.09.2023.
36.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3766 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kasba P.S. Case No.172 of 2021 dated 26.06.2021 under Sections 120B/419/420/467/468/471/170/188/276 of the Indian Penal Code read with Section 58(1) of the Disaster Management Act.

In the matter of : **Arabinda Baidya.**

.... Petitioner.

Mr. Rabi Sankar Chatterjee,
Mr. Uday Sankar Chatterjee,
Ms. Esha Das.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

1. Petitioner submits he is in custody for two years and two months. He submits co-accused are on bail. There is no possibility of trial concluding in the near future. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner is one of the conspirators who had set up fake vaccination camp during Covid and cheated individuals.
3. We have considered the materials on record. Allegations are very grave but there is slow progress in trial. There is no possibility of trial concluding in the near future. Co-accused are on bail.
4. Hence, petitioner is entitled to bail on the ground of delay.

5. Accordingly, the petitioner viz., **Arabinda Baidya** 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, 24-Paraganas, Barasat subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)