

23.11.2023
Sl. No.15
akd
[ALLOWED]

C. R. M. (DB) 4075 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.10.2023 in connection with Alipore Police Station Case No.139 of 2019 dated 19.11.2019 under Sections 420/467/468/471/120B of the Indian Penal Code and Sections 7A/8/9/12/13(2) of the Prevention of Corruption Act, 1988. (C.G.R. Case No.4116 of 2019)

And

In Re: ***Rajat Sinha Roy***

... .. Petitioner

Mr. Sekhar Kumar Basu .. Sr. Advocate
Mr. Soubhik Mitter
Ms. Rajnandini Das
Mr. Karan Bapuli

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Manoranjan Mahata

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about one year and eleven months. Co-accused has been enlarged on bail. There is little possibility of trial concluding in the near future. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits one witness has already been examined.
3. We have considered the materials on record. Allegations against the petitioner are grave. It is alleged in collusion with co-accused petitioner had indulged in acts of corruption in the matter of supply of office stationery to the Judgeship of the district of South 24-Parganas. Co-accused has been enlarged on bail. There is little possibility of trial concluding in the near future. Offences, even if proved, would not attract mandatory life imprisonment. Under circumstances and in view of the period of detention suffered by the

petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

4. Therefore, the accused/petitioner, namely **Rajat Sinha Roy**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, South 24-Parganas at Alipore subject to condition that the said petitioner 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.
5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.
7. Trial court is directed to conduct the trial with utmost expedition by fixing schedules at short intervals and conclude the same at an early date preferably within one year from the next date fixed for recording evidence. Petitioner and other co-accused shall cooperate with the trial court in that regard. In the event petitioner seeks to delay and/or dilate the proceeding without justifiable cause, it shall be open to the State to pray for cancellation of their bail.
8. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)