

29.11.2023

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Allowed

C.R.M. (DB) No. 4121 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur Police Station Case No. 346 dated 18.09.2021 under Sections 406/420/413/419 of the Indian Penal Code read with Sections 66/66C/66D/71 of the Information Technology Act.

And

In Re : Siddheshwar Chandrakant Bharle @ Siddheshwar Bharle petitioner

Mr. Shovan Ghosh
Mrs. Chirantani Ghosh

.....for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Subrato Roy

.....for the State

1. Learned Counsel for the petitioner submits he is in custody for 670 days. It is also submitted co-accused are on bail. There is little possibility of trial concluding in the near future. He prays for bail.

2. Learned Counsel appearing for the State opposes the prayer for bail and submits petitioner was involved in a racket which carried on cyber fraud causing loss to large number of victims.

3. We have considered the materials on record. Allegations against the petitioner are grave but he is in custody for a protracted period of time and there is little possibility of trial concluding in the near future.

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 and Sessions Judge at Bolpur, Birbhum, subject to condition that the 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 and on further conditions that while on bail petitioner shall remain with the jurisdiction of Raniganj Police Station and reside at Village and P.O. Puratan Egra, P.S. Raniganj, District - Paschim Bardhaman (West), PIN – 713 323, except for attending court proceedings and report to the DS, Burdwan Zone, CID, once in a week until further orders.

5. 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)