

19.12.2023.
110.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4504 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hare Street P.S. Case No.297 of 2022 dated 20.10.2022 under Sections 120B/420/467/468/471 of the Indian Penal Code.

In the matter of : **Bibek Saha.**

.... Petitioner.

Mr. Sandipan Ganguly, Id. Sr. Adv.,
Mr. Arnab Sinha,
Mr. Arjun Dewan,
Mr. A. Jha,
Mr. A. Basu.

...for the Petitioner.

Mr. Debasish Roy, Id. P.P.,
Mr. Rudradipta Nandi, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for 258 days. It is submitted he is not one of the principal accused. It is alleged that he had opened accounts using fake documents. Relevant documents are in the custody of the police. Allegations with regard to diverting funds into offshore accounts do not relate to the petitioner. He is not an accused in the PMLA proceeding instituted over the self-same cause of action. Co-accused viz., Soumen Saha and Reshmi Basu are on bail. There is no chance of abscondence.
3. Hence, we are inclined to extend the same relief to the petitioner also.
4. Accordingly, the petitioner viz., **Bibek Saha** shall be released on bail upon furnishing a bond of Rs.25,000/- with

two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Metropolitan Magistrate, Calcutta 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 and on further condition that the petitioner, while on bail, shall not leave the jurisdiction of the districts of Kolkata, South 24-Paraganas and North 24-Paraganas and shall report to the Investigating Officer once in a week until further orders. Prior to his release, he shall deposit his Passport with the court below.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)