

09.02.2023
(KC 5)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (DB) 4579 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

In the Matter of : Ayub Saha

.....petitioner.

Ms. Samira Grewal,
Mr. Zubeen Pandey

...for the petitioner.

Ms. Sonali Das

...for the State.

The petitioner is accused in a Ponzi scam. The F.I.R. was lodged on 23rd December, 2015.

He was arrested on 14th November, 2018 and is still in custody.

Investigation is complete. Charge-sheet was submitted on 29th November, 2018.

One co-accused is already on bail.

In a connected case where the petitioner was taken custody of by the Central Bureau of Investigation in 2014, he was granted bail on 26th July, 2022.

Learned counsel for the State opposes this application for bail stating that other co-accused are absconding.

In view of the above facts we cannot justify any further detention of the petitioner. We allow this application for bail.

The petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, 5th Special Court, Asansol-cum- Additional Sessions Judge, 1st Court, Asansol on the following conditions:

1. The petitioner shall deposit his passport, if any possessed by him, with the investigating officer,
2. He shall report before the said officer as and when summoned,
3. The petitioner shall not leave the limits of district Balasore, Odisha without informing the I.C.,
4. He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever,
5. 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.

The application for bail [CRM (DB) 4579 of 2022] is, accordingly, disposed of.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)

