

21.12.2023.
66.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4693 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Burrabazar P.S. Case No.53 of 2023 dated 28.02.2023 under Sections 120B/420/467/468/471/409 of the Indian Penal Code read with Sections 12/13 of the Prevention of Corruption Act.

In the matter of : **Deepak Kewat.**

.... Petitioner.

Mr. Tarique Quasimuddin,
Mrs. Zainab Tahur,
Mr. Navaid Arshi,
Mr. Rahul Kr. Mahato.

...for the Petitioner.

Mr. Debasish Roy, Id. P.P.,
Mr. Joydeep Biswas.

...for the State.

1. Petitioner submits he is in custody for more than 97 days. He contends there was prior monetary transactions between petitioner and the complainant and his associates. He has been falsely implicated. He prays for bail.

2. Learned Advocate for State opposes the bail prayer. He submits petitioner in collusion with the bank manager had induced him to part with cheques to the tune of Rs.1 crore and Rs.1.3 crores respectively on the assurance that they would be invested in SBI Schemes. Forged SBI investment certificates were issued and the amounts were misappropriated.

3. We have considered the materials on record. It is alleged petitioner who is a businessman having regular banking transactions in the bank concerned issued blank cheques to the tune of Rs.1 crore and Rs.1.3 crores respectively. Credibility of such practice from a regular businessman

requires to be assessed at the appropriate stage of the proceeding.

4. Be that as it may, the alleged forged certificates have been seized and are in the custody of the investigating agency. Investigation is complete. There is no chance of abscondence.

5. In view of number of witnesses and documents proposed to be examined/exhibited, there is no possibility of trial concluding in the near future.

6. Under such circumstances, we are inclined to grant bail to the petitioner subject to conditions.

7. Accordingly, the petitioner viz., **Deepak Kewat** shall be released on bail upon furnishing a bond of Rs.25,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Metropolitan Magistrate-I, Kolkata 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.

8. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)