

30.01.2024.  
22.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 224 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chinsurah P.S. Case No.417 of 2021 dated 04.10.2021 under Sections 420/406/409 of the Indian Penal Code.

In the matter of : **Snehanta Nandy.**

.... Petitioner.

Mr. Arunava Ganguly.

...for the Petitioner.

Mr. Antarikhya Basu.

...for the State.

1. Petitioner is in custody for more than two years. He submits there is little possibility of trial concluding in the near future. He prays for bail.
2. Learned Advocate for State opposes the bail prayer. He contends 12 witnesses have been examined. Examination of other witnesses are fixed in the month of February, 2024.
3. We have considered the materials on record. Allegations involve defalcation of Rs.16.5 lakhs by the petitioner who is an agent of the bank. He has suffered incarceration for more than two years. Though 12 witnesses have been examined, a large number of witnesses are yet to be examined. There is little possibility of trial concluding in the near future. Petitioner is not responsible for the delay. There is no chance of abscondence. Offences, even if proved, would not attract mandatory life imprisonment.

4. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner viz., **Snehanta Nandy** 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 Chief Judicial Magistrate, Hooghly 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.

6. 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.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**