

23.02.2024
31
sdas
allowed

CRM (DB) No. 330 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kulti Police Station Case No. 690 of 2021 dated 17.12.2021 under Sections 403/409/420 of the Indian Penal Code and charge-sheet submitted under Sections 403/409/420 of the Indian Penal Code.

And

In Re : Apratim Sinha petitioner

Mr. T. J. Mandal

Ms. S. Dey

Mr. N. Eslam

Ms. T. Parvin

....for the petitioner

Mr. Debasish Roy, learned PP

Mr. Rudradipta Nandy, learned APP

Mrs. Manasi Roy

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for about two years. It is also submitted trial has not commenced. Accordingly, he prays for bail.

2. Learned Public Prosecutor submits petitioner was involved in misappropriating a large sum of money from the treasury. Trial is about to commence.

3. We have considered the materials on record. Petitioner is in custody for about two years. Though allegations are grave we note trial is yet to commence. Offences, if proved, would not attract mandatory life imprisonment. There is no chance of abscondence. Accordingly, we are inclined to grant bail to the petitioner.

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, 1st Court at Asansol, Paschim Bardhaman, subject to conditions that 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.

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.)