

273-283
03-07-2024
(ct. no.28)
AB

**CRM (DB) 172 of 2024
WITH
CRM (DB) 173 of 2024
With
CRM (DB) 467 of 2024
With
CRM (DB) 248 of 2024
With
CRM (DB) 418 of 2024
With
CRM (DB) 427 of 2024
With
CRM (DB) 481 of 2024
With
CRM (DB) 583 of 2024
With
CRM (DB) 818 of 2024
With
CRM (DB) 822 of 2024
With
CRM (DB) 823 of 2024**

In re: An application for bail under Section 439 of the Code of Criminal Procedure.

- A n d -

In the matter of : Dr. Subires Bhattacharyya @ Subiresh Bhattacharjee

.... Petitioner.

Mr. Sandipan Ganguly, Sr. Adv,
Mr. Ayan Poddar,
Ms. M. Mukherjee,
Mr. Soham Dutta

.... For the petitioner in CRM (DB) 172/24, CRM (DB) 173/24 & CRM (DB) 467 of 2024, CRM (DB) 583 /24.

Mr. Milan Mukherjee, Sr. Adv,
Mr. Biswajit Manna,
Mr. S. Ghosh

.... For the petitioner in CRM (DB) 818/24, CRM (DB) 822/24 & CRM (DB) 823 of 2024.

Mr. Anirban Guhathakurata,
Mr. Sujan Chatterjee,
Mr. Souparna Sinha,
Mr. Rohan Banishi

.... For the petitioner in CRM (DB) 248/24,
CRM (DB) 481/24

Mr. Sekhar Basu, Sr. Adv,
Mr. Rajat Sinha Roy,
Mr. Surajit Basu

.... For the petitioner in CRM (DB) 418/24

Mr. Rajat Sinha Roy,
Mr. Surajit Basu

.... For the petitioner in CRM (DB) 427/24

Mr. Kishore Dutta, Ld. AG,
Mr. Anirban Roy,
Mr. B. B. Mullick,
Mr. D. Dinda,

.... For the State.

Mr. Dhiraj Trivedi, Ld DSGI,
Mr. A. De,
Mr. A. Majumdar,
Ms. S. Sarkhel,

... For the CBI.

Read order dated May 7, 2024.

A Coordinate Bench had directed the Chief Secretary to submit his response to the report filed by CBI as well as the proposal for sanction, by the adjourned date. The matter was adjourned till June 11, 2024.

Thereafter, the matter was not taken up for hearing till today.

Today, the State says that there may have been some communication gap. The Chief Secretary's response is not ready. We grant three weeks' time peremptorily to the Chief Secretary to submit his response to CBI's report as well as the proposal for sanction to prosecute. Insofar as this aspect of the matter is concerned, the matters will be listed three weeks hence.

However, we are of the view, prima facie, that the issue of sanction to prosecute may not have any bearing on the bail

applications that are pending before us. We do not wish to delay or hold up hearing of the bail applications till the Chief Secretary files his response to CBI's report.

The bail applications will again be listed on July 12, 2024, marked 12 p.m. On that day, if Mr. Trivedi, learned Deputy Solicitor General representing the CBI, wishes to argue as a preliminary issue that prior to taking up the bail petitions for hearing, the issue regarding sanction to prosecute should be sorted out, he will be at liberty to do so.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)