

CRM (DB) 3838 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Hare Street P.S. Case No. 260 of 2022 dated 13.9.2022 under Sections 120B/419/420/466/467/468/471/474 of Indian Penal Code.

And

In the matter of: Devki Nandan Sharma @ Debki Nandan Sharma
@Baberwal

Mr. Karan Dhudewala
Ms. Monami Mukherjee

... for the petitioner

Mr. S. Biswas
Mr. Asraf Mondal

...for the State

1. Petitioner is in custody for about 315 days. He was not named in the initial charge-sheet. Subsequently, he has been implicated as a conspirator. There is delay in trial. On such score co-accused has been enlarged on bail. He prays for bail.
2. Learned counsel for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner was not named in the initial charge-sheet. On the score of delay co-accused have been enlarged on bail. Petitioner is also in custody for a considerable period. 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 the petitioner namely, Devki Nandan Sharma @ Debki Nandan Sharma @ Baberwal, 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, Calcutta subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event, petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail prayer in accordance with law without further reference to this Court.

6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)