

10.12.2025
Court No.35.
D/L. 02
Rakib
(Allowed)

CRM (M) 183 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with ACB, West Bengal Police Station case no. 6 of 2023 dated 22.06.2023 under Sections 13(1)(a) of the Prevention of Corruption Act, 1988 along with Sections 409/120B of the Indian Penal Code, 1860.

And

In the matter of : Apurba Barai

.....Petitioner.

Mr. Sourav Chatterjee, Sr. Adv,
Mr. Jay Laha

.....for the Petitioner.

Mr. Rudradipta Nandy, Ld. APP
Ms. Amita Gaur
Mr. Subham Bhakat

.....for the State.

Learned advocate appearing for the State pursuant to the earlier direction by this Court has prepared a tabular sheet wherefrom it reflects that allegedly Rs.57,99,769.76/- amount in respect of material and Rs.33,88,792/- in respect of labour payment were misappropriated and thereby wrongful loss created to the Government.

I have taken into account the merits of the case, prima facie, there are evidences so far as the present petitioner is concerned. However, the petitioner is in custody for almost two years four months and charges are yet to be framed, although the investigation has been concluded.

Having regard to the fact that all the documents are in possession of the investigating agency/prosecuting agency, the

detention of the petitioner and the fact that there is no possibility of the trial commencing or concluding very soon, I am of the view that the prayer for bail of the petitioner should be allowed.

Accordingly, petitioner namely, **Apurba Barai** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Kolkata.

If on bail, the petitioner shall be physically present on each and every date so fixed before the learned trial Court and shall not leave the jurisdiction of district of Kolkata without the prior permission of the learned trial Court.

Accordingly, the application for bail being CRM (M) No. 183 of 2025 is **allowed**.

Report so submitted by the State be kept with the record.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)