

03.03.2025

Serial no. 63

Dd

CRM (DB) 2356 of 2023

In re : An Application for cancellation of Bail under Section 439(2) of the Code of Criminal Procedure, 1973.

-And-

In the matter of : Central Bureau of Investigation

... ...Petitioner

Mr. Amajit De, Advocate

... ... For the Petitioner

Mr. Kunal Ganguly, Advocate

... ...For the opposite parties

1. Application for cancellation is at the behest of the Central Bureau of Investigation (CBI) and is directed against order dated January 5, 2023 passed by the learned Additional Sessions Judge granting bail to the private opposite parties.
2. Post bail misconduct is not a ground for cancellation.
3. According to CBI, gravity of the offence and the involvement of the petitioner were not taken into consideration while granting bail.
4. We find that the police case is dated June 12, 2021. We are informed that the prosecution intends to examine about 24 witnesses, out of which 2 prosecution witnesses were examined in full. Examination of the third prosecution witnesses is in progress.
5. Possibility of the trial concluding in the near future appears to be remote.
6. Purely on the principles of Article 21 of the Constitution of India, we are not minded to interfere with the order granting bail to the private opposite parties.

7. Consequently, CRM (DB) 2356 of 2023 is accordingly,
dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)