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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1650/2025**

SHYAMAL DUTTA @ DR.SHYAMAL DUTTAPetitioner

Through: Mr. Nivesh Sharma, Mr. Ritu Singh,
Advs.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent

Through: Mr. Ripudaman Bhardwaj, SPP with
Mr. Amit Kumar Rana, Adv.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **13.11.2025**

BAIL APPLN. 1650/2025

1. This is an application under Section 483 BNSS seeking regular bail filed on behalf of the applicant/accused Shyamal Dutta @ Dr. Shyamal Dutta in FIR no. RC221E0025 of 2016 in PS CBI New Delhi, under Sections 420/468/471 read with Section 120B of IPC, Section 66D of IT Act, and under Sections 3 read with Section 7 of State Emblem of India (Prohibition of Improper Use) Act, 2005.
2. As per allegations, the applicant along with the another co-accused were involved in a criminal conspiracy to cheat unemployed youth by creating and operating fictitious website in the name of non-existent "Bio-chemic Education Grant Commission" and inviting application for fake employment positions under the false representation of being a government



body. After completion of investigation charge sheet was filed before the Trial Court.

3. It is submitted that applicant was not arrested during investigation and upon filing of the charge sheet, was granted bail vide order dated 10.02.2020 by the Trial Court.

4. The record reveals that applicant did not appear before the Trial Court on 30.10.2021 and therefore, his bail bonds were forfeited and non-bailable warrants were issued against him. He was rearrested on 16.07.2022 and has been in custody since then.

5. The Ld. Counsel who appears for the petitioner submits that applicant has already served incarceration of about 3 years. He states that the continued custody of the applicant may not serve any purpose. He states that applicant is ready to furnish the bail bonds and is ready to abide by terms and conditions, if any, imposed by this Court.

6. The bail application has been vehemently opposed by the Ld. SPP appearing for respondent/CBI stating that in consequence to the non-bailable warrants dated 12.04.2022 the applicant was apprehended on 27.04.2022 from West Bengal and while he was being brought to Delhi by train, he escaped from the lawful custody of CBI at Kanpur Railway Station and an FIR no. 0115/2022 under Section 224 IPC was registered against him at Kanpur GRP Police Station.

7. Thereafter fresh NBWs dated 14.07.2022 were issued by the Ld. ACMM against the applicant and he was arrested on 16.07.2022 from Krishnagar, District Nadia, West Bengal.

8. It is submitted that applicant is a habitual offender with demonstrable propensity to obstruct the legal process and there is a serious and credible



risk of influencing the material witnesses and tampering with the vital evidence. There is also likelihood that he may abscond thereby frustrating the trial.

9. Admittedly, charge sheet was filed against the applicant without arrest and the applicant was granted bail by the Trial Court. Undisputedly, he did not appear before the Trial Court leading to the issuance of NBWs. It is also an admitted fact that applicant escaped from the custody of the CBI.

10. The maximum sentence which can be awarded in respect of offences alleged is 7 years. The applicant has been in custody for the last more than 3 years since after his arrest pursuant to the execution of NBWs. The Trial may take long time to conclude. The continued detention in custody would amount to pretrial punishment.

11. Keeping in view the aforesaid facts and circumstances, and in particular the fact that the applicant is in custody for the last about 3 years since after his arrest, the bail application is allowed and the applicant is admitted to bail upon his furnishing a personal bond of a sum of Rs. 30,000/- with a surety of like amount to the satisfaction of the Ld. Trial Court/ Duty Magistrate subject to the following condition:

- i. That the applicant shall regularly appear on each and every hearing and shall cooperate in the trial;
- ii. That the applicant shall report on the last Saturday of every month before the duty officer of local police station where he is residing;
- iii. That upon being released, the applicant shall share his permanent address as also his mobile number to the Investigating Officer and shall keep the mobile phone



operational at all times.

12. The application accordingly stands disposed of.

13. The copy of this order be sent to the Superintendent Jail for information.

RAVINDER DUDEJA, J

NOVEMBER 13, 2025/lks/na