

14.11.2022
tkm/ct 28
sl no. 40

C.R.M. (DB) 3945 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bishnupur P.S case no. 123 of 2021 dated 20.8.2021 under sections 420/406/409/465/467/463/471/120B of the IPC read with section 66D of the Information Technology Act read with section 9/13(1) of the Prevention of Corruption Act
and

Allowed

In Re : Dilip Kumar Gorai petitioner

Mr. Sandipan Ganguly, Sr. Adv.
Mr. A Dutta
Mr. S Chaerjee
Mr. S Sinha

..... for the petitioner

Mr. R D Nandy
Ms. Sonali Das

..... for the State

Petitioner is in custody for 448 days. It is submitted there is slow progress in the trial of the case. Co-accused Shyama Prasad Mukherjee, Chairman of the Municipality has been enlarged on bail.

Learned lawyer for the State opposes the prayer for bail and submits trial has already commenced. Petitioner was an accomplice in the misappropriation of funds of the municipality.

We have considered the materials on record. Though allegations are grave, we note there is slow progress in the trial of the case. Noting such fact, a Co-ordinate Bench of this court has enlarged the earlier Chairman of the municipality on bail.

Under such circumstances,, we are inclined to grant bail to the petitioner also.

Accordingly, the petitioner 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

CJM, Bankura on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 3945 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)