

Spl ACB CASE No.-02/2023
Filing No- 0157/2023
CNR No.-WBCS01-000157-2023

Order No.31

Order dated 25.02.2025

The record is put up today on the basis of put up petition. A bail petition is filed on behalf of the accused Tapan Kumar Ghosh who is in J/C.

Ld. PP Shri Dipankar Kundu is present.

Ld. Advocate appearing on the behalf of the accused is also present.

The copy of the bail petition is served to Ld. PP.

It is submitted on behalf of the accused that the accused was arrested on 26.11.2024 and since then he is in custody. It has also been submitted that the charge sheet has not yet been submitted in this case and as such he is entitled to be released on bail on the ground that he has completed statutory period of detention u/s 167 (2) Cr. P.C. It is further submitted that he may be enlarged on bail on any condition.

Ld. Chief P.P. left the matter to the discretion of this Court and has also submitted that it is fact that the I.O could not submit the charge-sheet till date and the statutory period of detention of this accused is over. However, the Ld. P.P. added that there are incriminating materials against the accused in the CD and recovery is still being made.

The I.O is present in Court with the CD.

I have carefully considered the CD and other materials on record. I find that this accused was arrested on 26.11.2024 and was produced before this Court on 27.11.2024 and since then he is in custody. The charge sheet has not yet been submitted in this case. The statutory period of detention of the accused for 90 days is over. Therefore, it is felt that this accused is entitled to get default bail.

The sole accused Tapan Kumar Ghosh may find bail of Rs.10,000/- with two registered sureties of Rs.5,000/- each, subject to the satisfaction of this Court on condition that,

- 1) he shall appear before the I.O once in a week until further order.
- 2) he shall co-operate the I.O during the remaining part of the investigation.

Let a copy of this order be sent to the Ld. C.J.M., Calcutta for fitting the bail bond.

Let another copy of this order be handed over to the I.O for information.

If on bail, to date i.e. **04.03.2025** for appearance and I.O.'s report.

Return CD.

D/c by me.

Judge, Bench-II,
City Sessions Court, Calcutta,
JO Code No. WB00868