

Order No. 8 dated 15.06.2023

Record is put up on the prayer of accused Mohammad Haseen Hashmi along with a petition praying for bail. A Vokatnama has been filed on his behalf by Ld advocate Akashdeep Mukherjee.

Let the power be kept with the record.

Copy served to the prosecution. Strong objection endorsed.

Bail petition is taken up for hearing and order.

It is submitted on behalf of the accused Mohammad Haseen Hashmi that he has already undergone custody for about one week and that he is a person of 70 years of age.

It is also submitted that he is suffering from high diabetes and requires regular medicines. It is further submitted that considering his advanced age and his physical health condition he may be released on bail this day on any condition as the court may deem fit and proper.

Objection is raised on behalf of prosecution by submitting that the ROC still reflects the name of the accused as being one of the Directors of the company. Apart from that it is further submitted that the medical report of the accused had already been called for by this court and the said report is before the court for perusal and consideration.

It is thus prayed that at this stage bail may not granted to the accused as that would cause prejudice to the prosecution case.

Upon hearing both parties and upon consideration of materials on record I find that the medical report which had been called for before this court shows that medicines are being given to the accused as per his Doctor's prescription. So far as period of custody is concerned I find that the accused is a person of advanced age and has already undergone a period of about one week of detention. I also feel that by refusing bail to the accused this day it will serve no purpose since trial of the case is yet to be commenced.

Thus, I feel that in the event of granting bail to the accused there will not be any prejudice caused to the prosecution case.

Hence.

Ordered.

Bail prayer of the accused Mohammad Haseen Hashmi is allowed.

The accused Mohammad Haseen Hashmi may be released on bail on furnishing a bond of Rs.25,000/- with one surety of like amount i/d to J.C.

If on bail the accused shall appear before the court on every date of hearing.

To date (29.08.2023) for appearance and further order.

Let a copy of this order be sent to the Ld. C.M.M., Calcutta for information.