

M.L. CASE NO 09 OF 2024
CNR-WBCS01-000842-2025
Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590

Order no.23 dated 05.07.2025

Today is fixed for production of the accused persons Prassana Kumar Roy, Chandan Mondal, Santi Prasad Sinha, Ashok Kumar Saha, Kalyanmoy Ganguly and Subires Bhattacharyya.

The accused persons Prassana Kumar Roy, Chandan Mondal, Santi Prasad Sinha, Ashok Kumar Saha, Kalyanmoy Ganguly and Subires Bhattacharyya are produced before this Court virtually.

Ld. Special Public Prosecutor for Enforcement Directorate as well as Ld. Advocate for the accused persons are present.

Legal Aid Defence Counsel is also present.

Ld. Advocate for the accused Dr. Kalyanmoy Ganguly has filed a petition along with a photostat copy of judgment dated 24.06.2024 passed by the Hon'ble High Court at Calcutta in CRM(R) 06 of 2025 praying for release of this accused by furnishing bond under Section 91 of the Bharatiya Nagarik Suraksha Sanhita.

Now, the petition is taken up for hearing.

Ld. Advocate representing the accused person Dr. Kalyanmoy Ganguly submits that the Hon'ble Court has already been liberated this accused on bail vide C.R.M (R) 06 of 2025 dated 24.06.2025.

Ld. Special Public Prosecutor for Enforcement Directorate leaves the matter upon the discretion of this Court.

I have carefully perused the order of the Hon'ble Court passed in C.R.M (R) 06 of 2025 on 24.06.2025.

The operative portion of the order of the Hon'ble High Court, Calcutta passed in C.R.M (R) 06 of 2025 on 24.06.2025 runs as follows :-

"In view of the provision under Section 91 of the BNSS as well as the law laid down by the Hon'ble Supreme Court, this Court is inclined hold that the petitioner ought to be released forthwith upon execution of bond under Section 91 of the BNSS."

In view of the Judgment of the Hon'ble Apex Court in **Tarsem Lal Vs Directorate of Enforcement Jalandhar Zonal Office** reported in **2024 SCC OnLine SC 971** vis-a-vis the order of the Hon'ble High Court, Calcutta passed in C.R.M (R) 06 of 2025 on 24.06.2025, I am inclined to allow the prayer of the accused person, namely, Dr. Kalyanmoy Ganguly.

So, the accused person, namely, **Dr. Kalyanmoy Ganguly**, be released on furnishing a bond of **Rs. 10,000/- each** with two sureties of **Rs. 5,000/- each** subject to the satisfaction of Ld. Chief Judicial Magistrate, Calcutta i.d J.C till date i.e. on **19.07.2025** with a condition to appear before this Court on each and every date of hearing and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

Ld. Advocate for the accused person Subires Bhattacharyya has filed two petitions along with a photostat copy of judgment dated 24.06.2024 passed by the Hon'ble High Court at Calcutta in CRM(R) 06 of 2025 praying for release of this accused person by furnishing bond under Section 91 of the Bharatiya Nagarik Suraksha Sanhita.

Now, the petitions filed on behalf of the accused Subires Bhattacharyya are taken up together for hearing.

Ld. Advocate representing the accused person Subires Bhattacharyya submits that the Hon'ble Court has already been liberated another accused Dr. Kalyanmoy Ganguly on bail vide C.R.M (R) 06 of 2025 dated 24.06.2025. He further submits that this accused person is on the same footings with that

accused Dr. Kalyanmoy Ganguly who has already liberated on bail by the Hon'ble High Court at Calcutta. So, he prays for mercy of this Court.

Ld. Special Public Prosecutor for Enforcement Directorate leaves the matter upon the discretion of this Court.

I have carefully perused the order of the Hon'ble Court passed in C.R.M (R) 06 of 2025 on 24.06.2025.

The operative portion of the order of the Hon'ble High Court, Calcutta passed in C.R.M (R) 06 of 2025 on 24.06.2025 runs as follows :-

“In view of the provision under Section 91 of the BNSS as well as the law laid down by the Hon'ble Supreme Court, this Court is inclined hold that the petitioner ought to be released forthwith upon execution of bond under Section 91 of the BNSS.”

In view of the Judgment of the Hon'ble Apex Court in **Tarsem Lal Vs Directorate of Enforcement Jalandhar Zonal Office** reported in **2024 SCC OnLine SC 971** vis-a-vis the order of the Hon'ble High Court, Calcutta passed in C.R.M (R) 06 of 2025 on 24.06.2025, I am inclined to allow the prayer of the accused person, namely, Subires Bhattacharyya.

So, the accused person, namely, **Subires Bhattacharyya**, be released on furnishing a bond of **Rs. 10,000/- each** with two sureties of **Rs. 5,000/- each** subject to the satisfaction of Ld. Chief Judicial Magistrate, Calcutta i.d J.C till date i.e. on **19.07.2025** with a condition to appear before this Court on each and every date of hearing and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

Fixing **19.07.2025** for production and further order.

To date i.e. on **28.07.2025** for appearance of the accused persons, if on bail, and hearing of the petition dated 23.06.2025 filed by accused company M/s. NYSA Communications Pvt. Ltd.

Accused persons be remanded to J/C till **19.07.2025**.

Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Calcutta for information.

Let a copy of this order be sent to the Enforcement Directorate through Ld. Special Public Prosecutor for information.

D/C by me
Sd/-
Chief Judge
City Sessions Court, Calcutta

Sd/-
Chief Judge
City Sessions Court, Calcutta