

18.01.2024
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Allowed

CRAN 3 of 2024
In
CRA 665 of 2009

In Re : An application under Section 389 of the Code of Criminal Procedure.

And

In Re : Debashish Dey. Appellant

Mr. Avishek Sinha
Ms. Pallavi Priyadarshee

.... for the appellant.

Mr. Joydeep Roy
Ms. Sujata Das

..... for the State

Affidavit of service filed in Court today be kept on record.

In compliance with the order dated 21.12.2023 the appellant Nos. 2 to 5 are present in Court today. Their personal appearances are noted and not dispensed with.

Ms. Pallavi Priyadarshee learned advocate files fresh vakalatnama on behalf of appellant Nos. 2 to 6 in the Department.

Mr. Sinhla, learned advocate for the appellant submits that the appellant i.e. Debasish Dey @ Debashis Dey has been taken into custody as his prayer for bail was recalled on 25.03.2010. The learned advocate for the appellant further submits that the appellant i.e. Debasish Dey @ Debashis Dey was not present before the Court due to mis-communication between the appellant and the advocate-on-record. He undertakes the appellant will be present on the each and every date of hearing.

Under such circumstances, the earlier order dated 6th October, 2023 is recalled appellant shall be released on bail.

Accordingly, the appellant i.e. **Debasish Dey @ Debashis Dey** shall be released on bail upon furnishing a bond of Rs. 2000/ with two sureties of like amount each to the satisfaction of the learned CJM Barasat, North 24-Parganas on condition that the appellant must be present before the Court on each and every date of hearing of the appeal failing which the order of bail granted in his favour shall be cancelled.

Accordingly, the application being CRAN 3 of 2024 is disposed of.

Let the matter be fixed on 21st March, 2024.

Parties to act on a server copy of this order duly downloaded from the official website of this Court.

(Ananya Bandyopadhyay, J.)