

29.02.2024
tkm/ct 28
sl no. 37

C.R.A. (DB) 28 of 2024
CRAN 1 of 2024

In Re : An appeal under section 21 of the National Investigation Agency Act, 2008

and

Allowed

In Re : Ohab Hossain @Vickey & Ors.

... petitioners

Mr. Anand Keshari
Mr. Sutapa Ghosh (Bose)

..... for the petitioner

Mr. Arun Kr. Maity
Mr. Bhaskar Prasad Banerjee
Mr. D Tandon

..... for the NIA

Re : CRAN 1 of 2024

1. Application under section 5 of the Limitation Act praying for condonation of delay in preferring the instant appeal has been filed.
2. Being satisfied with the averments in the application, delay is condoned.
3. CRAN 1 of 2024 is allowed.

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4. Appellants are in custody for 90 days. It is contended co-accused are on bail. They pray for bail.
5. Learned lawyer for the NIA opposes the bail prayer.
6. We have considered the materials on record. A dispute broke up between two groups in the city. Police intervened and were injured. No member of either of the groups had suffered injuries. Tension in the locality has subsided since then. Investigation is complete and co-accused are on bail. Trial has not commenced as yet.

7. Under such circumstances, we are inclined to grant bail to the appellants subject to strict conditions.

8. Accordingly, the appellants be released on bail upon furnishing a bond of Rs.50,000/- each (Rupees Fifty thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judge, City Sessions Court, Calcutta subject to condition that the said appellants shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the appellants, while on bail, shall not enter the municipal limits of Kolkata except for the purpose of attending court proceedings and shall provide the address where they shall presently reside to the Investigating Agency as well as the court below and shall report to Check Pal Sehrawat, Dy. SP/CIO, National Investigating Agency having office at NIA, 15th floor, NBCC Square, Action Area-III, New Town, Kolkata - 700135 once in a week until further orders.

9. In the event they fail to comply with any of the aforesaid conditions, the trial court shall be at liberty to cancel their bail in accordance with law without reference to this court.

10. The application being CRA (DB) 28 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)