

**CAN 1 of 2021**  
**With**  
**CAN 2 of 2021**  
**With**  
**CAN 3 of 2021**  
**With**  
**CAN 4 of 2021**  
**With**  
**CAN 5 of 2021**  
**In**  
**WPA 10504 of 2021**  
(Through Video Conference)

**CBI ACB Kolkata**  
**Versus**  
**Shri Firhad Hakim @ Bobby Hakim and Ors.**

**Before : Hon'ble Justice Rajesh Bindal, Chief Justice (Acting)**  
**Hon'ble Justice I.P. Mukerji,**  
**Hon'ble Justice Harish Tandon,**  
**Hon'ble Justice Soumen Sen and**  
**Hon'ble Justice Arijit Banerjee**

Mr. Tushar Mehta, Solicitor General of India  
Mr. Y.J. Dastoor, Additional Solicitor General of India,  
Mr. S.V. Raju, Additional Solicitor General of India with  
M/s. Phiroze Edulji, Kanu Agarwal,  
Samrat Goswami, Advocates  
...for the petitioner and Applicants in CAN 5 of 2021.

Dr. Abhishek Manu Singhvi,  
Mr. Siddhartha Luthra, Senior Advocates with  
M/s. Debanjan Mandal, Sandip Dasgupta,  
Suhaan Mukherji, Sabyasachi Banerjee,  
Kunal Vajani, Amit Bhandhari,  
Gopal Chandra Halder, Ajay Agarwal,  
Pankaj Singhal with Ms. Shubhangni Jain,  
Ms. Mahima Cholera, Advocates  
...for Petitioner in CAN 1 of 2021 and  
respondent No.1 in CAN 5 of 2021

Dr. Abhishek Manu Singhvi,  
Mr. Kalyan Bandhopadhyay, Senior Advocates with  
M/s. Sabyasachi Banerjee, Ayan Kr. De, Kunal Mimani,  
Shazeb Ahmed, Varun Ahuja, Advocates  
...for Petitioner in CAN 4 of 2021  
and respondent No.4 in CAN 5 of 2021

M/s. Sumeer Sodhi with Sourav Chatterjee,  
Somopriyo Chowdhury, Partha Pratim Dasgupta,  
Soumya Nag, Debayan Sen, Advocates  
...for Petitioner in CAN 2 of 2021  
and respondent No.3 in CAN 5 of 2021

Mr. Siddhartha Luthra, Senior Advocate with  
M/s. Niladri Bhattacharya, Sabyasachi Banerjee,  
Soham Bandopadhyay, Advocates  
...for Petitioner in CAN 3 of 2021  
and respondent No.2 in CAN 5 of 2021

Mr. Kishore Datta, Advocate General,  
Mr. Abhratosh Majumder, Additional Advocate General,  
Mr. Sayan Sinha, Advocate  
...for the State.

**Dated : May 28, 2021**

**The Court:**

1. The interim bail granted by the learned Court below to the accused persons was stayed by this Court vide order dated May 17, 2021, which was modified on May 19, 2021.
2. Today we have considered the arguments raised by learned senior counsels for the accused for grant of interim bail to them during the pendency of the matter before this Court.
3. Mr. Mehta, learned Solicitor General of India, objected to the grant interim bail to the accused persons stating that they are influential persons, who can tamper with evidence or make public statements regarding this case or gather a mob whenever they are called for further investigation or the case is taken up for hearing.
4. Having heard learned counsel for the parties, we are of the view that the factual and legal issues, sought to be raised by them, may require some time for final determination.
5. At this point of time considering all circumstances we deem it fit and proper to grant interim bail to the accused.

6. We propose to grant interim bail to the accused/respondent Nos.1 to 4 namely Shri Firhad Hakim @ Bobby, Shri Madan Mitra, Shri Sovan Chatterjee and Shri Subrata Mukherjee subject to the following conditions:

I. The aforesaid accused persons, if they are not required in any other case, shall be released on bail subject to each one executing a bail bond of ₹2 lakhs with two sureties of like amount, to the satisfaction of the learned Special Judge, C.B.I. Court, Kolkata.

II. The aforesaid accused persons shall make themselves available for interrogation in the course of further investigation, if any, of the alleged offence, as and when required by the C.B.I. Considering the lockdown imposed in the State of West Bengal, the interrogation may be carried out by virtual mode.

III. The aforesaid accused persons shall not tamper with the evidence or attempt to intimidate or influence the witnesses.

IV. The aforesaid accused persons shall not give any press interview or make any public comments in connection with the cases pending in this Court or in the trial Court, pertaining to the alleged offence concerning themselves or any other co-accused.

7. They shall file an undertaking by 31<sup>st</sup> May, 2021 before the Registrar General of this Court as well as C.B.I. Court undertaking to comply with the aforesaid conditions.

8. Violation of the aforesaid conditions may entail cancellation of the interim relief granted, in addition to initiation of any other appropriate proceedings.

9. Filing of the undertaking shall not be a pre-condition to release of the accused persons on executing the bail bonds and furnishing sureties in terms of this order.

10. This interim order shall continue till disposal of these proceedings or until further order, whichever is earlier and shall abide by the final order to be passed.

11. List all matters on May 31, 2021 at 12 noon.

**[Rajesh Bindal, C.J.(A)]**

**[I.P. Mukerji, J.]**

**[Harish Tandon, J.]**

**[Soumen Sen, J.]**

**[Arijit Banerjee, J.]**